Brief of Title

TO

TWENTY-FIVE LOTS OF GROUND

ON THE EAST SIDE OF BROAD STREET, WEST SIDE OF PARK AVENUE, AND NORTH SIDE OF BERKS STREET, IN THE TWENTY-EIGHTH WARD OF THE CITY OF PHILADELPHIA,

BELONGING TO

JOHN M. SHARP.

PHILADELPHIA:
ALLEN, LANE & SCOTT'S PRINTING HOUSE,
Nos. 229-231 South Fifth Street.
1884.

PENNSYLVANIA
STATE LIBRARY

BRIEF OF TITLE

TO

ALL THAT CERTAIN LOT OR PIECE OF GROUND with the buildings and improvements thereon erected, situate at the north-east corner of Broad street and Berks street, in the Twenty-eighth (late Twenty-first) Ward of the city of Philadelphia. Containing in front or breadth on the said Broad street two hundred and twenty feet, and extending in length or depth eastward of that width (crossing a new street laid out for public use one hundred and fifty feet eastward from Broad street, called Ontario (formerly Heath) street), two hundred sixty-five feet to a certain other street called Park avenue (formerly Cadwalader street or Cadbury avenue). Bounded northward by ground now or late of Joseph S. Silver, southward by the said Berks street, eastward by the said Park avenue, and westward by Broad street aforesaid.

For prior title to lot A on Plan No. 1, see printed brief to premises north-east corner of Broad street and Montgomery avenue, page 8, and for lot B on said plan, see printed brief to the estate of William Masters Camac, deceased, page 44.

Letter of Attorney.—Richard Penn nominating, constituting and appointing Thomas Cadwalader of the city of Philadelphia, to be his attorney for him and in his name as executor and trustee under the will of Mary Penn, deceased, (among other things therein authorized and contained) to sell and convey any of the messuages, lots, lands, tenements, and hereditaments which were devised to him in trust by the said

1830. May 22d.

160765

attorney, in fact the said Thomas Cadwalader), of the first part, and the said Hannah Penn (acting by her attorney, in fact the said Thomas Cadwalader), of the second part, granting and conveying in consideration of £8500, sterling money of Great Britain, unto George Cadwalader of the third part in fee, *inter alia*: A certain lot or piece of land, situate in Penn township, in the county of Philadelphia, at the north-east corner of Broad street and (old) Masters street. Bounded by Broad street, Masters street, Camac street and Thirteenth street, it being a part of the premises and one of the lots of ground so as aforesaid specifically devised by the said Mary Penn, deceased, to the said Richard Penn, in trust for the use and benefit of her daughter, the said Hannah Penn, in fee.

Acknowledged March 21st, 1834.

Recorded March 24th, 1834, in Deed-book A. M., No. 46, page 307, &c.

1845. May 3d. **Deed of Exchange.**—Made by and between James Markoe and Elizabeth B. Camac, trustees of William M. Camac's estate, of the one part, and George Cadwalader and wife, of the other part, whereby there was granted, exchanged, released, and confirmed unto the said James Markoe and Elizabeth B. Camac, trustees aforesaid, their heirs and assigns, *inter alia*: all that certain triangular lot of ground situate on the east side of Broad street, in Penn township aforesaid, beginning at the intersection of the east line of the said Broad Street and the middle of the said Camac street, thence southward along the east line of the said Broad street three hundred and fifty-nine feet four inches to Berks street; thence eastward along the north line of Berks street three hundred and eleven feet nine inches to the middle of Camac street; and thence northwesterly along the middle of the said Camac street four hunhundred and seventy-five feet nine inches to the place of beginning (being part of the last-mentioned lot of land), to hold to them the said James Markoe and Elizabeth B. Camac,

trustees aforesaid, their heirs and assigns, upon the uses and trusts and for the same purposes, and with the same and like powers and authorities in all respects as are mentioned and declared, given, and conferred in and by the said last will and testament of the said William M. Camac, deceased, in respect to the real estate, situate in the Commonwealth of Pennsylvania held by the testator at the date of the said will.

Acknowledged same day.

Recorded Nov. 5th, 1845, in Deed-book R. L. L., No. 51, page 446, &c. Reacknowledged, on account of erasure in description, Dec. 21st, 1852, and recorded January 6th, 1853, in Deed-book T. H., No. 52, page 536, &c.

By an act of the General Assembly of the Commonwealth of Pennsylvania; entitled "An act relative to Amber, Camac, and Broad streets," &c., passed April 2d, 1849, it was enacted as follows, to wit: "Section 6th. That so much of Camac street as the same is now laid out, opened, and used from the west line of Tenth street to the west line of Broad street in the county of Philadelphia, be and the same is hereby vacated, and that the title to the soil over which the same passes be and the same is hereby vested in fee in the several owners of the ground adjoining and fronting upon the same respectively; each owner to have and to take one-half part thereof so far as his respective lot adjoins and fronts upon the same. Provided that Montgomery street shall first be opened from Tenth to Broad street and put in traveling order." Pamphlet laws, 1849, No. 259, page 327, &c.

The said Montgomery street, from Tenth to Broad streets, has since been laid out and opened for public use in accordance with the act above recited.

Deed.—James Markoe and William Cox, Jr., and Elizabeth B. his wife, formerly Elizabeth B. Camac (the said James

1852. Dec. 11th.

Markoe and Elizabeth B. being the trustees above named), in pursuance of the power and authority to them given and in them vested as hereinbefore recited to Samuel Elliott Harlan in fee, for all that lot of ground situate at the north-east corner of Broad and Berks streets, partly in Penn township and partly in the district of Penn, containing in front or breadth on the said Broad street three hundred and sixty feet, and in length or depth eastward of that width along the north side of the said Berks street five hundred and twenty-eight feet to the west side of Thirteenth street, bounded northward by ground of George F. Randolph, southward by the said Berks street, eastward by the said Thirteenth street, and westward by the said Broad street.

Acknowledged same day.

Recorded December 11th, 1852, in Deed-book T. H., No. 61, page 49, &c.

1852. Dec 13th. **Deed.**—Samuel Elliott Harlan to Joseph S. Silver in fee for a lot of ground at the north-east corner of Broad and Berks streets, containing in front on Broad street one hundred and eighty feet, and extending in depth five hundred and twenty-eight feet to Thirteenth street, being part of the last-described lot of ground.

Acknowledged same day.

Recorded January 21st, 1853, in Deed-book T. H., No. 59, page 426, &c.

1852. Dec. 13th. **Deed.**—Samuel Elliott Harlan to M. Carey Lea in fee for, *inter alia*, a lot of ground on the east side of Broad street one hundred and eighty feet north of Berks street, forty feet front on Broad street, and in depth eastward five hundred and twenty-eight feet to Thirteenth street.

Acknowledged same day.

Recorded January 27th, 1853, in Deed-book T. H., No. 61, page 220, &c.

Deed.—M. Carey Lea to Joseph S. Silver in fee for the lot of ground last described. 1853. Jany. 12th.

Acknowledged January 13th, 1853.

Recorded January 21st, 1853, in Deed-book T. H., No. 59, page 424, &c.

Deed.—Joseph S. Silver and wife to Charles Henry Fisher in fee for the two lots of ground last described, situate at the north-east corner of Broad and Berks streets, containing together in front on Broad street two hundred and twenty feet, and in depth eastward five hundred and twenty-eight feet to Thirteenth street. 1855. Jany. 11th.

Acknowledged January 12th, 1855.

Recorded February 16th, 1855, in Deed-book R. D. W., No. 13, page 110, &c.

Deed Poll of Dedication.—Joseph S. Silver and M. Carey Lea, for their mutual advantage and that of their respective heirs and assigns, the owners and occupiers of the ground fronting on Cadwalader street and Heath street, as also for the public use and benefit, granting, dedicating, and laying out the said two streets called Cadwalader street and Heath street as therein described as and for public highways and water courses at all times thereafter, forever, and requesting the Commissioners of Highways for the city of Philadelphia to take charge of, light, grade, pave, and keep the said streets in order in the manner used with respect to the other public streets of the said city, with the proviso that the width or the cartway of the said Cadwalader street should be the same as that of the ordinary fifty feet wide streets of the city of Philadelphia, and that the additional ten feet in width of the said Cadwalader street should be used to increase the usual width 1855. Feb. 12th.

of the footways, and releasing and quit claiming to the said city of Philadelphia all damages or claims or demands for damages which they or either of them had or might or could have had by reason of the opening or use of the said streets as public highways. And therein it was recited that Joseph S. Silver was the owner of all that lot of ground situate on the north side of Berks street and East side of Broad street, in the Twenty-first Ward of the city of Philadelphia, containing in front on the said Broad street two hundred and twenty feet, and extending of that breadth eastward along Berks street five hundred and twenty-eight feet to Thirteenth street; and that M. Carey Lea is the owner of all that lot of ground situate on the east side of Broad street, at the distance of two hundred and twenty feet northward from the north side of said Berks street, and adjoining to the above-described lot, containing in front or breadth on the said Broad street one hundred and forty feet, and extending in length or depth eastward between lines parallel with said Berks street five hundred and twenty-eight feet to the said Thirteenth street. And that the said Joseph S. Silver and M. Carey Lea had laid out two streets through the same, viz., one of them called Cadwalader street, of the width of sixty feet, running northward from the north side of Berks street parallel with Thirteenth street, and at the distance of two hundred and three feet westward therefrom, to the extent of their ground, being three hundred and sixty feet; and the other of the said streets, called Heath street, of the width of twenty-five feet, running northward from the north side of said Berks street parallel with Broad street, and at the distance of one hundred and fifty feet eastward therefrom, to the full extent of their ground, being three hundred and sixty feet.

Acknowledged February 15th, 1855.

Recorded February 16th, 1855, in Deed-book R. D. W., No. 13, page 114, &c.

1855. Feby 16th. **Deed Poll Endorsed.**—Charles Henry Fisher, owner of part of the premises described in the foregoing dedication and release, for himself, his heirs and assigns, dedicating

and laying out the said Cadwalader street and Heath street, as described in said deed-poll, and thereby releasing and quitting claim all damages or claim therefor on account thereof to the city of Philadelphia, and in all respects ratifying and confirming the aforesaid instruments of dedication and release so far as his interest in the said premises extended.

Acknowledged same day.

Recorded February 16th, 1855, in Deed-book R. D. W., No. 13, page 114, &c.

Deed.—Charles Henry Fisher to Joseph S. Silver in fee for the westernmost part of the lot of ground last described, containing in front on Broad street two hundred and twenty feet, and in depth eastward of that width along Berks street two hundred and sixty-five feet to the east side of Cadwalader street. 1855. June 26th.

Acknowledged same day.

Recorded May 25th, 1857, in Deed-book R. D. W., No. 132, page 129, &c.

Deed.—Joseph S. Silver and wife to Jeremiah Bonsall in fee for the lot of ground last above described. 1858. March 23d.

Acknowledged same day.

Recorded April 13th, 1858, in Deed-book A. D. B., No. 19, page 5, &c.

Deed.—Jeremiah Bonsall and wife to Joseph Chew in fee for the same lot of ground. 1858. Sept. 29th.

Acknowledged same day.

Recorded October 19th, 1858, in Deed-book A. D. B., No. 33, page 449, &c.

The said Joseph Chew being so thereof seized departed this life, having first made and published his last will and testament in writing.

1867. April 25th. **Will** of Joseph Chew, wherein and whereby, after various specific bequests in no wise affecting the premises in question, he did give, devise, and bequeath all the rest, residue, and remainder of his estate and property real and personal unto his son Joseph Chew, Junior, and his friend J. Gordon Brinckle, their heirs executors and administrators, in trust as therein mentioned, and in and by the sixth item of his will did direct as follows: "I authorize said trustees to sell whenever in their judgment the interests of my estate shall require it any portion of my real estate in fee simple or to let the same upon ground-rent and the purchaser or lessee shall not be required to see to the application of the purchase-money."

Duly proved December 29th, 1868, and registered at Philadelphia in Will-Book No. 63, page 471, &c.

1868. Dec. 29th. J. Gordon Brinckle renounced his right to act as such trustee by writing filed.

1877. Oct. 7th. Joseph Chew, Junior, sole acting trustee, departed this life.

1877. Oct. 20th. At an Orphans' Court held at Philadelphia, for the city and county of Philadelphia, on petition of all the parties in interest, "The Pennsylvania Company for Insurances on Lives and Granting Annuities," was duly appointed trustee under said will of Joseph Chew, Sr., deceased, in place of J. Gordon Brinckle, renounced, and Joseph Chew, Junior, deceased.

Orphans' Court Docket, No. 67, page 427, &c.

1884. April 3d. **Deed.**—"The Pennsylvania Company for Insurances on Lives and Granting Annuities," trustee of the estate of Joseph

Chew, deceased, to Eliza H. Murphy in fee for the same lot of ground described at head of this brief.

Acknowledged same day.

Recorded April 14th, 1884, in Deed-book J. O'D., 183, page 327, &c.

Twenty-five Deeds.—Eliza H. Murphy to William L. Rhinehart in fee for the twenty-five lots, as shown upon the following plan, reserving thereout unto the said Eliza H. Murphy, her heirs and assigns, twenty-five yearly ground-rents as thereon designated. 1884. April 28th.

Acknowledged same day.

Recorded May 6th, 1884, in Deed-book J. O'D., No. 185, pages [1] 398, [2] 402, [3] 406, [4] 410, [5] 415, [6] 419, [7] 423, [8] 427, [9] 432, [10] 436, [11] 440, [12] 444, [13] 448, [14] 453, [15] 457, [16] 461, [17] 465, [18] 470, [19] 474, [20] 478, [21] 482, [22] 487, [23] 491, [24] 495, [25] 499, &c.

Deed.—William L. Rhinehart to John M. Sharp, his heirs and assigns, for the said twenty-five lots or pieces of ground, subject to the aforesaid twenty-five yearly ground-rents. 1884. April 28th.

Acknowledged same day.

Recorded May 6th, 1884, in Deed-book J. O'D., No. 185, page 394, &c.

Extracted from the records and papers produced by

EDWIN T. COXE,
T. ELWOOD POTTS.

MAY, 1884.

CERTIFICATES OF SEARCH.

All that certain lot or piece of ground situate at the north-east corner of Broad street and Berks street, in the Twenty-eighth Ward of the city of Philadelphia, containing in front or breadth on the said Broad street two hundred and twenty feet, and extending in length or depth eastward of that width, along the north side of the said Berks street, two hundred and sixty-five feet to the west side of Park avenue.

Certify any unsatisfied mortgage or mortgages of the above-described premises, or any part thereof, given by

Samuel Elliott Harlan, from December 1, 1852, to March 1, 1853.

Joseph S. Silver, from December 1, 1852, to May 1, 1858.

M. Carey Lea, from December 1, 1852, to March 1, 1853.

Charles Henry Fisher, from January 1, 1855, to June 1, 1857.

Jeremiah Bonsall, from March 1, 1858, to November 1, 1858.

Joseph Chew, from September 1, 1858, to January 1, 1869.

Joseph Chew, Jr., trustee, from December 1, 1868, to November 1, 1877.

The Pennsylvania Company for Insurances on Lives and Granting Annuities, trustee, since October 1, 1877.

To The Real Estate Title Insurance and Trust Company of Philadelphia.

E. T. COXE.

No. 32685.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certifies that there is no unsatisfied mortgage on record of the above-described premises or any

part thereof given by either of the one (1) corporation, or seven (7) persons above named and recorded within the periods above specified.

Witness the seal of the said Company the fourth day of April, A. D. 1884.

JOHN B. HENKELS,
Clerk.

[SEAL]

None to April 15th, 1884.

T. E. POTTS.

Search has also been made from 1749 to February 14th, 1884, in the Company's locality indexes of the unsatisfied mortgages which have been located, and no mortgages affecting the premises as described have been found therein.

JOHN B. HENKELS,
Clerk.

No. 28547.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certify that there have been no Sheriffs' sales of the above-described premises since December 1st, 1843.

Witness the seal of the said corporation the eighth day of April, A. D. 1884.

JOHN B. HENKELS,
Clerk.

[SEAL]

There are no deeds of the above-described premises, or any part thereof, made by Marshalls of the United States for the Eastern District of Pennsylvania, and recorded between December 1st, 1843, and April 4th, 1884, in the clerk's office of the United States District Court at Philadelphia.

JOHN B. HENKELS,
Clerk.

Certify any conveyance of the above-described premises, or any part thereof, made by

Joseph Chew, from September 1, 1858, to January 1, 1869.

Joseph Chew, Jr., trustee, from December 1, 1868, to November 1, 1877.

The Pennsylvania Company for Insurances on Lives and Granting Annuities, trustee, since October 1, 1877.

To The Real Estate Title Insurance and Trust Company of Philadelphia.

No. 11991.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certifies that there is no conveyance of the above-described premises or any part thereof made by either of the one (1) corporation, or two (2) persons above named and recorded in Philadelphia within the periods above specified.

Witness the seal of the said Company the fourth day of April, A. D. 1884.

JOHN B. HENKELS,

[SEAL] *Clerk.*

None to April 15th, 1884, except one.

1884, April 3. The Pennsylvania Company to Eliz. H. Murphy. Rec'd April 14, 1884. J. O'D., 183, page 327, &c.

T. E. POTTS.

Search has also been made from May 3d, 1879, to October 31st, 1883, in the Company's locality indexes of conveyances which have been located, and no conveyances affecting the premises as described have been found therein.

NOTE.—The five (5) following appear on our locality :—

Feb. 12 | 55. Jos. S. Silver *et al.* to agrm't. Rec'd Feb. 16 | 55. R. D. W. 13, page 114.

June 26 | 55. Chas. H. Fisher *et ux.* to Jos. S. Silver. Rec'd May 25 | 57. R. D. W., 132, page 129.

May 3 | 45. Geo. Cadwalader *et ux.* to part'n. Jan. 6 | 53. T. H., 52, page 536.

Dec. 13 | 52. Sam'l E. Harlan to Jos. S. Silver. Jan. 21 | 53. T. H., 59 page 426.

Dec. 13 | 52. Same to M. Carey Lea. Jan. 27 | 53. T. H., 61, page 220.

JOHN B. HENKELS,

Clerk.

All the above certified instruments are in the line of title. See brief.

E. T. COXE.

Certify any unpaid taxes registered against the above-described premises or any part thereof in the name of Estate of Joseph Chew, deceased, or any other name or names.

On examining the register of unpaid taxes for the city of Philadelphia, for the years 1879 to 1883, inclusive, I find nothing against the above-described premises.

W. M. NEISSER,
C. S. C.
4/7/84.

[SEAL]

Taxes for 1884 are paid.

T. E. POTTS.

On examining the locality indices of the Courts of Common Pleas, and late District Court, I find nothing against the above-described premises since April 4th, 1879.

S. B. VAN DUSEN,
Pro Pron.
April 4th, 1884.

[SEAL]

None to April 15th, 1884.

T. E. POTTS.

On searching the indices of claims in the City Solicitor's office, I find nothing against the premises as above described.

ROBT. T. CORSON,
Assistant Solicitor.
April 4th, 1884.

None to April 15th, 1884.

T. E. POTTS.

Please certify in whose name the above-described lot is registered.

To the Registry Bureau, Department of Surveys.

DEPARTMENT OF SURVEYS. REGISTRY BUREAU.

PHILADELPHIA, APRIL 4th, 1884.

I hereby certify that the above-described lot is registered in this department as follows :—

Former Owner.	Present Owner.	Date of Deed.
Jeremiah Bonsall.	Joseph Chew.	September 29th, 1858.

For Chief Engineer and Surveyor,

JOHN H. DYE,
Registrar.

No. 8859.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certify that the list of judgments in the United State Circuit Courts at Pittsburgh, Erie, and Williamsport, and the United States District Court at Pittsburgh, Pennsylvania, certified to them by the clerks of said courts, do not show any judgments against The Pennsylvania Company for Insurances on Lives and Granting Annuities, from April 5th, 1879, to April 5th, 1884, inclusive.

NOTE.—We find judgment in United States Circuit Court, Pittsburgh *vs.* Pennsylvania Co., July 5th, 1882.

Witness the seal of the said corporation, the eighth day of April, A. D. 1884.

CHARLES F. GRAFF,
For Secretary.

[SEAL]

N. B.—Judgments in the District Courts at Erie and Williamsport are docketed in the clerk's office at Pittsburgh.

The within noted judgment is not against The Pennsylvania Company, &c., as trustee of the estate of Joseph Chew, deceased.

E. T. COXE,
April, 1884.

COURT OF QUARTER SESSIONS OF THE PEACE FOR THE CITY AND COUNTY OF PHILADELPHIA.

I certify that I have examined the records of the aforesaid court for five years past, and do not find any unsatisfied judgments against The Pennsylvania Company for Insurances on Lives and Granting Annuities, Trustees.

4/9/1884.

WM. L. FORMAN,
Pro Clerk.

[SEAL]

None to April 15th, 1884.

T. E. POTTS.

On examination of the Judgment Index of the Court of Common Pleas for the county of Philadelphia, from April 3d, A. D. one thousand eight hundred and seventy-nine (1879), to the fourth (4) day of April, one thousand eight hundred and eighty-four (1884), I find the following unsatisfied judgments entered therein within that period against The Pennsylvania Company for Insurances on Lives and Granting Annuities, trustees:—

C. Carter *et al.*,	1,	M. '79,	195,	Thomas,	June 10, 1879,	Part.
C. Carter *et al.*,	1,	M. '79,	195,	Thomas,	July 7, 1879,	Part.
A. Freas to use,	2,	M. '76,	1,205,	Grace,	July 12, 1879,	$145.81
A. A. Catanach,	4,	J. '81,	11,	M. L. D.,	Aug. 10, 1881,	$809.51
D. McC. Watt,	2,	S. '81,	641,	P. P.,	Oct. 20, 1881,	Part.
D. McC. Watt,	2,	S. '81,	641,	Cox,	Jan. 10, 1882,	Part.
F. A. Drexel *et al.*,	1,	J. '83,	323,	P. P.,	July 14, 1883,	Par.
S. Flanagan,	2,	J. '82,	510,	Stover,	Feb. 19, 1884,	N. P.

Certified by

CHAS. F. TYER,
Pro Pron.

[SEAL]

None other to April 15th, 1884.

T. E. POTTS.

None of the within certified judgments are against The Pennsylvania Company, &c., as Trustee of the estate of Joseph Chew, deceased.

E. T. COXE,
April, 1884.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *ss.*

I, Charles S. Lincoln, clerk of the District Court of the United States, for the Eastern District of Pennsylvania, certify that there are no unsatisfied judgments remaining on record. in my office, obtained within the last five years, against The Pennsylvania Company for Insurances on Lives and Granting Annuities, Trustee.

CHAS. T. MURPHY,
Pro Clerk District Court.

[SEAL]

PHILADELPHIA, This fifth day of April, A. D. 1884.

None to April 15th, 1884.

T. E. POTTS.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *Sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining on record in my office, obtained within the last five years, against The Pennsylvania Company for Insurances on Lives and Granting Annuities, Trustee,

CHAS. T. MURPHY,
Pro Clerk Circuit Court.

[SEAL]

PHILADELPHIA, This fifth day of April, A. D. 1884.

None to April 15th, 1884.

T. E. POTTS.

DEPARTMENT FOR SUPPLYING THE CITY WITH WATER.

OFFICE OF THE REGISTRAR OF WATER RENTS,
PHILADELPHIA, March 25th, 1884.

I hereby certify that all the water rents on premises No. 1905 North Broad street, in the Twenty-eighth Ward, which said premises now stand in the name of Chew estate, have been paid to the year 1884 inclusive.

C. HARRY FLETCHER.

The annual rent for the year 1884 is $14.

All that certain lot or piece of ground situate at the north-east corner of Broad street and Berks street, in the Twenty-eighth Ward of the city of Philadelphia, containing in front or breadth on the said Broad street two hundred and twenty feet, and extending in length or depth eastward of that width, along the north side of said Berks street, crossing Ontario street, two hundred and sixty-five feet to the west side of Park avenue.

Certify any unsatisfied mortgage or mortgages of the above-described premises or any part thereof, or of any yearly ground-rent issuing thereout, given by

Eliza H. Murphy,
William L. Rhinehart,
John M. Sharp,
} since March 1st, 1884.

E. T. COXE.

No. 34,536.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certifies that there is no unsatisfied mortgage on record of the above-described premises or any part thereof, or of any yearly ground-rent issuing thereout, given by either of the three (3) persons above named and recorded within the periods specified, except two (2), as below.

Witness the seal of the said Company, the fifth day of June, A. D. 1884.

JOHN B. HENKELS,

[SEAL] *Clerk.*

Apl. 3/84. Eliza H. Murphy to Penna. Co. for Ins. on L. etc., $25,000. Rec. Apl. 14/84, J. O'D., 156, p. 241.

Apl. 3/84. Same to same, $20,000. Rec. Apl. 14/84, J. O'D., 156, p. 245.

Search has also been made from 1749 to April 15th, 1884, in the Company's locality indexes of the unsatisfied mortgages which have been located, and no other mortgages affecting the premises as described have been found therein.

JOHN B. HENKELS,

Clerk.

On examining the locality indexes of the Courts of Common Pleas and late District Court, I find nothing against the above-described premises since June 5th, 1879.

S. B. VAN DUSEN,
Pro Proty.

[SEAL]

June 5th, 1884.

On examination of the Judgment Index of the Court of Common Pleas for the county of Philadelphia, from March 1st, A. D. one thousand eight hundred and eighty-four (1884) to the fifth day of June, one thousand eight hundred and eighty-four (1884), I find no unsatisfied judgments entered therein within that period against Eliza H. Murphy, William L. Rhinehart, John M. Sharp.

Certified by

CHAS. F. TYER,
Pro Pron.

[SEAL]

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *ss.*

I, Charles S. Lincoln, Clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied judgments remaining on record in my office, obtained against Eliza H. Murphy, William L. Rhinehart, John M. Sharp, since March 1st, 1884.

JOHN B. BEAVER,
Pro Clerk District Court.

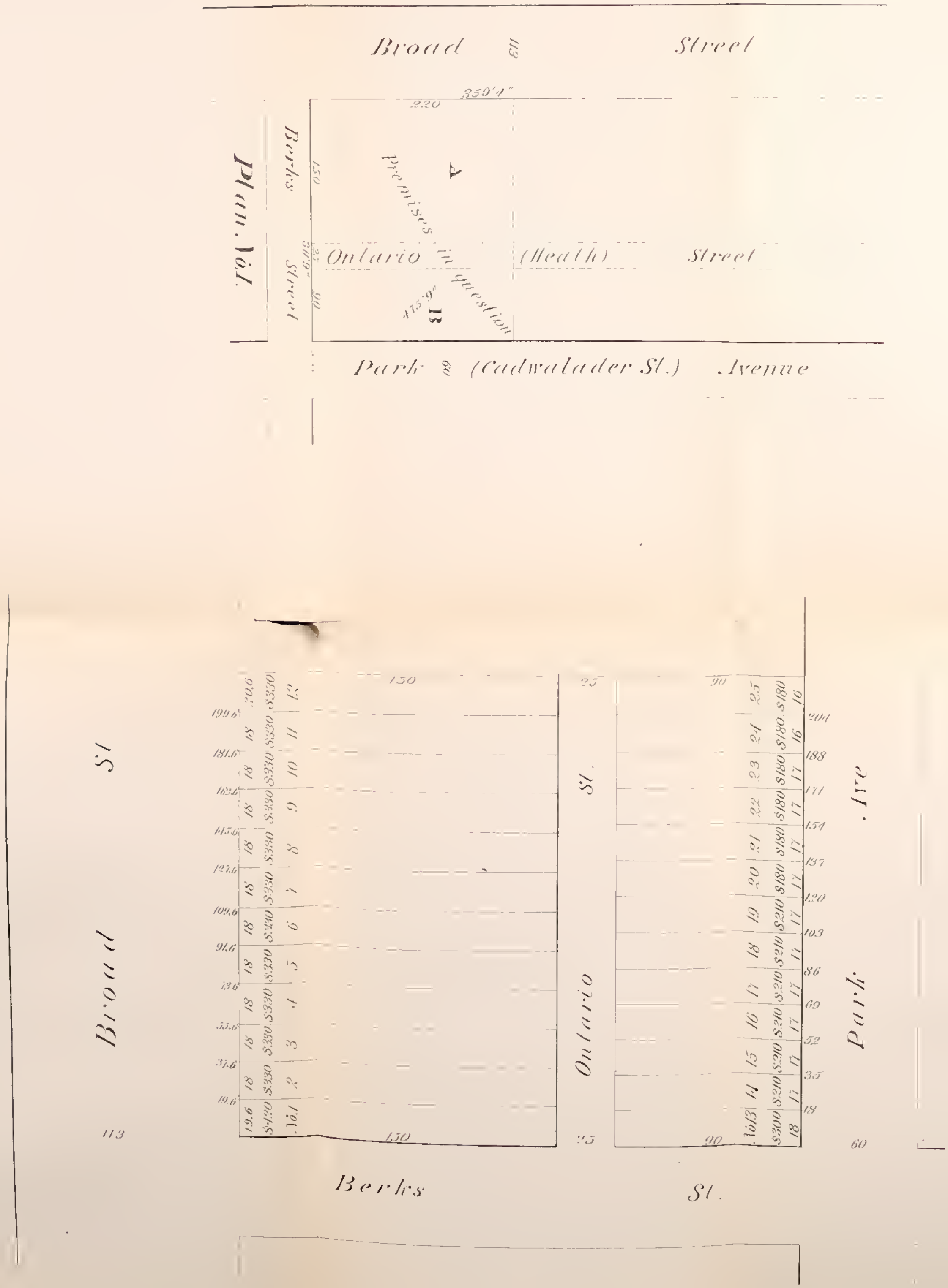
PHILADELPHIA, This sixth day of June, A. D. 1884.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *Sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining on record in my office, obtained against Eliza H. Murphy, William L. Rhinehart, John M. Sharp, since March 1st, 1884.

JOHN B. BEAVER,
Pro Clerk Circuit Court.

PHILADELPHIA, This sixth day of June, A. D. 1884.


Plan No. 1.
Broad Street
113
359'4"
220
Berks Street
150
Premises in question
A
B
Ontario (Heath) Street
25
317'9"
90
475'9"
Park (Cadwalader St.) Avenue
60
Broad St
Berks St.
Ontario St.
Park Ave
150
90
25
113
60

Brief of Title

TO

LOTS OF GROUND.

SITUATE ON THE EAST SIDE OF

SIXTEENTH STREET,

IN THE

TWENTY-NINTH WARD

OF THE

CITY OF PHILADELPHIA.

PHILADELPHIA:

JOHN C. CLARK & SONS, PRINTERS, 230 DOCK STREET.

1875.


Seventeenth
Street
Master
Jefferson
Orford
Columbia
Montgomery
Timber
N 26¾ W
N 26¾ W 46 9/10 Prs
N 62¼ W 30 1/2 s
Sixteenth
Street
Sydenham
Fifteenth
Street
Broad
Avenue
S 63¾ W 102 Links
S 26¾ E 46 9/10 Prs
N 26¾ W 61 Prs
S 62¾ W 29.8 Prs
S 10¼ W 75 1/2 Pers
70
102
80
44
17
47
87
54
33
66

Columbia Avenue

177.10

50

Sixteenth Street

80

80

Sydenham Street

50

40

172.10

107.10

26

26

Wm. C. M.c Pherson

65

107.10

24

26

N.o 1.

334

107.10

24

197 feet 8½ in.

N.o 2.

310

107.10

24

24

N.o 3.

286

107.10

24

24

N.o 4.

262

107.10

24

24

N.o 5.

238

107.10

24

24

N.o 6.

214

107.10

24

24

N.o 7.

190

107.10

24

24

N.o 8.

166

107.10

24

24

Sam.l B. Drake

107.10

36

36

Mrs. E. Cramp

107.10

36

36

N.o 9.

107.10

65

70

172.10

70

70

vacated

N

W

S

Timber Lane

Street

Street

Plan No.

40

50

172.10

50

177.10

Oxford Street

Brief of Title

TO

LOTS OF GROUND

SITUATE ON THE EAST SIDE OF

SIXTEENTH STREET,

IN THE

TWENTY-NINTH WARD

OF THE

CITY OF PHILADELPHIA.

PHILADELPHIA:

JOHN C. CLARK & SONS, PRINTERS, 230 DOCK STREET.

1875.

Brief of Title

To certain Lots of Ground situate on the East Side of Sixteenth Street, between Oxford Street and Columbia Avenue, in the Twenty-Ninth Ward of the City of Philadelphia.

92–3.
b. 24.
cited.
o. 1.

Patent.—Samuel Carpenter, William Markham, Robert Turner and John Goodson, the four Commissioners of William Penn, Esquire, proprietor, &c., to Thomas Lloyd, in fee, for a certain Tract of Land, in the County of Philadelphia, containing 100 acres.

Recorded in Patent Book A. A., vol. 7, page 333, &c.

693.
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o. 2.

Deed-Poll.—Thomas Lloyd to his son-in-law, John Delavall, in fee, for said 100 acres of land.

Acknowledged 4th of 2d month, 1693, and Recorded May 11th, 1767, in Deed Book I., vol. 2, page 366, &c.

693.
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mined
cord.
o. 3.

Will of John Delavall, wherein and whereby he willed, in the words following, to wit:—"First, I give, devise and bequeath, all my houses, lands, and other estate, both real and personal, within this Province and elsewhere, to my dear wife, Hannah Delavall: To hold to her and her assigns, until my son John comes to the age of one and twenty years, (if he lives so long,) and when he attains to the said age, then my will is that my said son shall have one half of my said estate, to hold to him, his heirs and assigns forever. But in case he shall happen to die before he attains to the said age of one and twenty, then my will is, that one quarter part of my estate, shall be equally divided between my two sisters, Rebecca and Margaret, if they be then alive, and that the other three quarters, or remainder of my said estate, shall be and remain to my said wife; to hold to her and her heirs, executors and assigns forever."

Duly proven, September 20th, 5th year, William and Mary, and registered at Philadelphia, in Book of Wills A, page 235, &c.

Recited. No. 4.

NOTE.—The said testator's son John departed this life under the age of twenty-one years; and the said Rebecca dying intestate without issue, the premises so devised to them as aforesaid devolved upon and descended unto the said testator's sister Margaret, in fee, who intermarried with one Thomas Codrington.

1697. Nov. 17. Recited. No. 5.

Deed-Poll.—Thomas Codrington and Margaret his wife, to the said Hannah Delavall, widow, in fee, for all their right, title and interest of, in, and to the real and personal estate of the said testator, John Delavall, deceased.

Recorded in Deed Book D. 2, vol. 6, page 335, &c.

The said Hannah Delavall became thus seized and possessed of all the estate so as aforesaid devised and bequeathed, and afterwards intermarried with Richard Hill.

1708. Oct. 6 & 7. Examined Record. No. 6.

Indenture of Mortgage.—William Penn, the elder, and William Penn, the younger, to Henry Gouldney and others, for the province of Pennsylvania, excepting as therein mentioned, to secure the payment of £6,600, with interest, as therein mentioned.

Recorded on the 13th of 1st month, 1709, in Deed Book E, No. 6, vol. 7, page 82, &c.

1711. Nov. 10. Examined Record. No. 7.

Deed.—William Penn, the elder, Proprietary and Governor, &c., and Henry Gouldney and others, to Edward Shippen, Samuel Carpenter, Richard Hill, Isaac Norris and James Logan, constituting and appointing them, or any three of them, their and every of their attorneys, to sell and dispose of all or any part of the said premises conveyed by the above Indenture of Mortgage.

Recorded in Deed Book E, No. 7, vol. 8, page 125, &c.

1718. July 9 and 10. Examined Record. No. 8.

Lease and Release.—Richard Hill, Isaac Norris and James Logan, the surviving attorneys, as well of William Penn, sr., and William Penn, jr., as of Henry Gouldney and others, mortgagees aforesaid, to Jonathan Dickinson, in fee, for 1230 acres of the Proprietaries' Manor of Springetsbury, excepting 134 acres and parts intended for roads, &c.

Recorded 2d of 10th month, 1718, in Patent Book A., vol. 5, page 341, and in Exemplification Record of same Book at Philadelphia, No. 2, page 201, &c.

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Deed.—Jonathan Dickinson and Mary his wife to Richard Hill, in fee, for a certain tract of land, part of the aforesaid tract of 1230 acres, situate in the Northern Liberties of the City of Philadelphia. Containing 201½ acres, more or less.

Acknowledged September 30, 17—. Recorded in Deed Book F., vol. 3, page 23, &c.

726.
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. 10.

Deed.—Richard Hill and Hannah his wife to Richard Hill, Jr., in consideration of natural love and affection for Lloyd Zachary, son of said Hannah Hill's sister Elizabeth, and of 5sh. granting to the said Richard Hill, Jr., in fee, [inter alia] all that, their messuage and capital plantation of land thereto belonging, including the aforesaid 201½ acres, more or less, with 100 besides, situate in the Northern Liberties, which was formerly part of the Proprietaries' reputed Manor of Springetsbury, containing by estimation 300 acres, more or less: to hold to and for the several uses therein mentioned, that is to say, to the use and behoof of the said Richard Hill, sen., for life, and at his death to the use and behoof of the said Hannah, his wife, and after the death of the survivor of them, the said Richard Hill, senior, and Hannah, his wife, to the use and behoof of the said Lloyd Zachary, his heirs and assigns.

Proved September 3, 1730, and Recorded March 14, 1767, in Deed Book I., vol. 2, page 269, &c.

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Deed-Poll, Executed by Richard Hill, Jr., reciting the above deed, and the death of both the said Richard Hill, senior, and Hannah his wife, and in pursuance of the trust in him reposed, and in consideration of 5 shillings, granting and confirming the premises last aforesaid unto the said Lloyd Zachary, his heirs and assigns.

Proved November 9, 1752, and Recorded March 14, 1767, in Deed Book I., vol. 2, page 267, &c.

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ord.
12.

Will of Lloyd Zachary, whereby he gave and devised unto his executors therein named, (inter alia,) All that his messuage or tenement, plantation and tracts or parcels of land contiguous to each other, in the Northern Liberties of the City of Philadelphia, containing in the whole 300 acres or thereabouts, more or less, and further willed in the words following, to wit: "And I do hereby declare that all the foregoing devises made to my

1794. Feb. 18. Examined Record. No. 15.

Deed.—John Little and Grace his wife, to Benjamin Rush, in fee, for the last described 11 acres of land.

Signature of John Little, proven by subscribing witness, March 5th, 1794, and Recorded April 22d, 1796, in Deed Book D., No. 56, page 229, &c.

1769. Feb. 18. Examined Record. No. 16.

Deed.—Hugh Roberts and Samuel Neave, surviving executors and residuary legatees named in the last will and testament of Lloyd Zachary, deceased, of the first part, Samuel Preston Moore and James Pemberton, of the second part, to Reese Meredith, of the third part, in fee, for (inter alia) the lot or piece of land marked on said plan with the letter "K," beginning at a post by the side of a 50 feet wide road, being corner of said lot marked in the aforesaid plan with the letter "G," thence by said road, south 63½ degrees west, 29 8-10th perches, to a post set for a corner of lot marked in the aforesaid plan with the letter "N," thence by the said last mentioned lot, south 26½ degrees east, 61½ perches, to a post in the line of lot marked in the aforesaid plan No. 16, thence by the said last mentioned lot, north 63½ degrees east 29 8-10th perches, to a post set for a corner of said lot, marked in the aforesaid plan with the letter "G," and thence by the said last mentioned lot, north 26½ degrees west 61 perches, to the place of beginning; containing 11 acres 60 perches.

Acknowledged February 20, 1769, and Recorded January 30, 1806, in Deed Book E. F., No. 22, page 593, &c.

1777. Sept. 15. Examined Record. No. 17.

Will of Reese Meredith, wherein and whereby, after sundry legacies and specific devises, he did will and devise his residuary Estate, including the premises conveyed by the last mentioned deed, in the words following, to wit: "Item, I give and bequeath all the rest, residue and remainder of my real and personal estate whatsoever, in Pennsylvania, New York, Maryland, and my goods and chattels, rights and credits in Great Britain, Lisbon, Madeira, the West Indies and elsewhere, unto my three children, Samuel Meredith, Elizabeth Clymer and Ann Hill, their several and respective heirs, executors and administrators forever, to be equally divided between them, share and share alike.

Proven January 27, 1779, and registered at Philadelphia, in Book of Wills R., page 154.

84. t. 6. ined ord. 18.

Deed of Partition, Made between Samuel Meredith and Henry Hill and Anne his wife, of the one part, and George Clymer and Elizabeth his wife, of the other part, whereby the said Samuel Meredith, Henry Hill and Anne his wife, for the purpose of making partition, did grant, convey and confirm unto the said George Clymer and Elizabeth his wife, her heirs and assigns, in severalty, (inter alia), All that the said lot of land marked on said plan with the letter "K," containing 11 acres 60 perches.

Acknowledged same day, and Recorded October 9th, 1784, in Deed Book D., No. 11, page 353, &c.

98. 17. ined ord. 19.

Deed.—George Clymer and Elizabeth his wife, to Benjamin Rush, in fee, for a certain tract or piece of ground, situate on the east side of Timber Lane, in the Northern Liberties, and County of Philadelphia; containing in breadth on the said Timber Lane 30 feet, and extending in length about 61 2-10 perches. Bounded westward by said Timber Lane, northward by land of Benjamin Rush, eastward and southward by other land of the said George Clymer; containing 1 acre, be the same more or less; (being part of the last mentioned 11 acres and 60 perches of land.)

Acknowledged July 19th, 1798, and Recorded February 11th, 1813, in Deed Book I. C., No. 23, page 272, &c.

2. 18. ined rd. 20.

Will of Benjamin Rush, begins thus, "It is my will that *the whole of my estate,* real and personal," &c., "be disposed of and divided in the following manner," &c., and then he did therein and thereby, inter alia, will in the words following, to wit: "2d—That my little farm called Sydenham, (being composed of the said two pieces of land, so as aforesaid conveyed to him by John Little and George Clymer), in the neighborhood of Philadelphia, be the property of my wife, Julia Rush, also my household furniture, plate and 100 volumes of my library, to be selected by herself, to be given during her life, or bequeathed at her death, to such of my children or grand children, as she may deem proper, the silver salver excepted."

Proven April 30th, 1813, and registered at Philadelphia, in Book of Wills No. 4, page 330, &c.

6. 25.

Will of the said Julia Rush, widow of the said Benjamin Rush, wherein and whereby she did give, devise and bequeath unto her son, Richard Rush, his heirs and assigns, three undi-

Examined Record. No. 21.

vided seventh parts of the said little farm called "Sydenham" (purchased by her late husband, Dr. Benjamin Rush, and by him devised to her) situate on Stump and Timber Lanes, in the County of Philadelphia; and she did thereby direct that the said three seventh parts should be laid off as follows, to wit: A line shall be drawn from the lane, forming the northern boundary of said farm, running parallel with the western line thereof, and extending southwardly, so as to pass at least 60 feet eastward from the most easterly part of the ground, on which formerly stood the old frame barn, until it reaches a point from which another line, to be drawn westward parallel with the lane, bounding the said farm on the north, will cut off and include the said three seventh parts of the said farm, devised hereby to my son, Richard Rush, his heirs and assigns. But if it should happen that the portion of the said farm cut off by the said eastern line, and lying west thereof, when the same shall be extended to the southern boundary of the said farm, shall (not) amount to the full three seventh parts, then I will and direct that the said eastern line shall be removed eastward, but still parallel with the western boundary of said farm, until the same, when extended southward to the south line of said farm, shall cut off and include the said full three seventh parts of the whole, it being my intention, that my son Richard shall have allotted to him a compact piece of land, equal in quantity to three seventh parts of the whole farm."

And the said testatrix did give and devise the remaining four seventh parts of her said little farm called "Sydenham," as follows: one undivided seventh part to her daughter, Mrs. Mary Manners, then residing in England, her heirs and assigns; one other seventh part to her son, Dr. James Rush, his heirs and assigns; one other undivided seventh part thereof, to the children of her son, Samuel Rush, their heirs and assigns, share and share alike, and if either should die under age and without issue, then to the survivor of them, his or her heirs and assigns; and the remaining one undivided seventh part to her son, Dr. William Rush, his heirs and assigns."

1846. March 4. Examined Record. No. 22.

Codicil to said Will, whereby the said testatrix did revoke the bequest to her son, James Rush, of the one seventh part of her little farm called "Sydenham," and did give the part bequeathed to him, one-half to her son William, his heirs and assigns, and the other half to the children of her son Samuel, share and share alike, as the will provides to the survivor.

Will and Codicil proven, July 21st and 22d, 1848, and Registered at Philadelphia, in Book of Wills No. 21, page 5, &c.

23. The said little farm, called "Sydenham," became vested as follows, in

Richard Rush,	3-7 - - -	6-14
Mrs. Mary Manners,	1-7 - - -	2-14
Children of Saml. Rush,	1-7+½ of 1-7, 2-14+1-14	3-14
William Rush,	1-7+½ of 1-7, 2-14+1-14	3-14
		14-14

48. **Instrument of Writing,** under the hands and seals of Joseph
., 15. Fox and Henry Haines, surveyors of the District of Penn in
iced. the County of Philadelphia, whereby they did certify "that
24. the draft attached hereto is a draft of a survey made by us, at the request of Richard Rush, of a 'little farm called Sydenham,' situate in said District, late the property of Julia Rush, widow of Benjamin Rush, late of the City of Philadelphia, deceased, which we find bounded and limited as follows, to wit: beginning at a stone in the south-easterly line of Timber Lane, a corner of land late of Simon Gratz, deceased, thence north 61° 18′ east, along the said line of said lane, and by ground of Freeman Scott, 882 feet 11 inches, thence south 7° 46′ west, by ground of George Cadwalader, 139 feet 4⅛ inches; thence south 7° 47′ west, by the same, 1117 feet 9⅞ inches, to a stone; thence south 61° 20′ west, by ground of the said Simon Gratz, 137 feet 1 inch, to a stone; thence north 28° 37′ west, by the same, 1010 feet 9⅛ inches, to the place of beginning: containing 11 acres and 134 square perches. And also, that that part thereof bounded by lines shaded green, includes three-sevenths of the whole of said little farm, laid off and surveyed by us in accordance with the terms and provisions of the last will and testament of the said Julia Rush, deceased, dated the 25th day of February, A. D. 1846, entered in Will Book No. 21, pages 5 and 6, &c., as the portion thereof devised by her to her son, Richard Rush, being bounded as follows, to wit: beginning at a stone in the south-easterly side of said Timber lane, a corner of land late of Simon Gratz, deceased, thence north 61° 18′ east, along said line of said lane, 283 feet 6 inches, thence by other parts of said farm, the two following courses, to wit: south 28° 37′ east, passing 60 feet eastward from the most easterly part of the ground on which formerly stood the old frame barn, 779 feet 6⅜ inches, and south 61° 18′ west, 283 feet 6 inches, to the line of said Simon Gratz's land, and thence by the same north 28° 37′ west, 779 feet 6⅜ inches, to the place of beginning: containing 5 acres and 11 square perches. And we do further certify: that previous to the survey of that part of the farm bounded by lines shaded green, includ-

ing three-sevenths of the whole of said farm, allotted in the will to Richard Rush, we made a personal examination of the ground on which formerly stood the old frame barn, as mentioned in the will, and satisfied ourselves of the correct line forming the most easterly part of the same, to enable us to commence the survey in accordance with the will."

Proven by subscribing witness February 28, 1854, and Recorded May 19th, 1854, in Deed Book T. H., No. 146, page 304, &c.

1767. May 2. Examined Record. No. 25.

Deed.—Hugh Roberts and Samuel Neave, surviving executors and residuary legatees named in the last will and testament of Lloyd Zachary, deceased, of the first part, Samuel Preston Moore and James Pemberton, of the second part, to William Henry, of the third part, in fee, for, inter alia, lot marked in said plan with the letter "F," beginning at a post by the side of a 50 feet road or lane, (afterwards called Timber Lane) thence running north $26\frac{1}{2}°$ west, 46 2-10 perches, to another post, being a corner of a lot marked in said plan of subdivision with the letter "E," granted to William Bethell; thence by the same north $63\frac{1}{2}°$ east, 30 perches, to a post by the side of a 33 feet lane, (afterwards called Stump Lane); thence by the same lane south $26\frac{1}{2}°$ east, 46 3-10 perches, to a post by the side of the last mentioned 50 feet lane; thence by the said 50 feet lane south $63\frac{1}{2}°$ west, 30 perches, to the place of beginning: containing 8 acres and 100 perches of land.

Acknowledged March 17, 1770, and Recorded August 27th, 1841, in Deed Book G. S., No. 30, page 266, &c.

1780. March 29. Examined Record. No. 26.

Deed.—William Henry and Elizabeth his wife, to William Sheaff, in fee, for the last described lot of land; containing 8 acres and 100 perches.

Acknowledged same day, and Recorded September 7th, 1792, in Deed Book D., No. 36, page 333, &c.

1804. Jan. 16. Examined Record. No. 27.

At an Orphans' Court, held at Philadelphia, for the City and County of Philadelphia, the petition of Barbara Sheaff, widow and relict of William Sheaff, George Sheaff, eldest son and heir at law of said William Sheaff, deceased, Henry W. Muhlenberg and Mary his wife (late Mary Sheaff), daughter of said deceased, John K. Helmuth and Catharine his wife (late Catharine Sheaff), another daughter of said deceased, Susannah

Sheaff, another daughter of said deceased, Henry S. Sheaff, by Francis Gurney, his guardian, and John Sheaff, by Thomas Ross, his guardian, being other sons of the said deceased, was presented, setting forth that the said William Sheaff, on 11th of August, 1803, died intestate, leaving a widow, Barbara Sheaff, and issue 7 children, to wit: George Sheaff, Mary, the wife of Henry W. Muhlenberg, Catharine, the wife of John K. Helmuth, Susannah Sheaff, Henry S. Sheaff, John Sheaff and William Sheaff, which said William, on the 6th of October, 1803, died under age, unmarried and without issue, Henry S. Sheaff, and John Sheaff were still in their minority, and that the said William Sheaff, the intestate first aforesaid, died seized in his demesne as of fee of, and in, inter alia, the last described tract of 8 acres and 100 perches of land, and praying the said Court to appoint and order Laurence Seckel, George Latimer, Joseph Hemphill, Thomas Cuthbert, Daniel Smith, Godfrey Haga and Henry K. Helmuth, (who were chosen by the petitioners for that purpose), to make partition of the premises aforesaid, to and among the children and representatives of the said intestate, in such manner and in such proportions as by the laws of this Commonwealth was directed, if such partition could be made without prejudice to or spoiling the whole; but if such partition could not be made thereof, then to value and appraise the same, and make report of their proceedings.

Whereupon the Court, on due consideration, ordered that said men be an inquest to make partition of the real estate aforesaid, if the same could be parted and divided without prejudice to, or spoiling the whole, otherwise to value the same.

Return of Partition, under the hands and seals of the said men: whereby they did allot, inter alia, a certain piece of land, therein particularly described, containing 2 acres and 142 perches, (being the north-westernmost part of said last described tract of 8 acres and 100 perches of land) to Barbara Sheaff, widow of said William Sheaff, deceased; to hold to her as her dower of the real estate of the said William Sheaff, during the term of her natural life, and did further assign and deliver, inter alia, a lot of land, situate in the Northern Liberties of the City of Philadelphia, beginning at a point by the side of a 50 feet lane, thence running north $26\frac{1}{2}°$ west, 30 8-10th perches, to a post set for a corner; thence north $63\frac{1}{2}°$ east, by land of William Sheaff, deceased, 30 perches, to a post by the side of a 30 feet wide lane; thence by the same lane south $26\frac{1}{2}°$ east, 30 87-100th perches, to a post by the side of the aforesaid 50 feet wide lane; thence by the same south $63\frac{1}{2}°$ west, 30 perches, to the place of beginning: containing 5 acres and 24 perches, (being the south-

easternmost and remaining part of said last described tract of 8 acres and 100 perches of land), unto Henry W. Muhlenberg and Mary his wife, in right of the said Mary, and her heirs in severalty.

Partition confirmed, February 17th, 1804, and Recorded April 3d, 1804, in Deed Book E. F., No. 14, page 665, &c.

NOTE.—**The said Henry W. Muhlenberg afterwards departed this life.**

1821. March 26. No. 29.

By the return of Caleb North, Esquire, High Sheriff, and inquest, to a writ of partition issued out of the District Court for the City and County of Philadelphia, wherein the said Mary Muhlenberg was demandant and George Sheaff, trustee of Catharine Helmuth, wife of John K. Helmuth, and others, were defendants,—the said 2 acres and 142 perches of ground were, inter alia, assigned and delivered unto the said Mary Muhlenberg, and her heirs, in severalty, forever.

Monday, June 4th, on motion of Horace Binney, Esq., the return was confirmed, and the court ordered and adjudged that the partition remain firm and stable forever.

Recorded in District Court Record Book Nos. 1 and 2, page 46, &c.

Thus the said Mary Muhlenberg became seized of the whole of the above mentioned 8 acres and 100 perches of land.

1845. Dec'r 9. Examined Record. No. 30.

Deed.—Mary Muhlenberg, widow, to Michael V. Baker, in fee, for the said last described 8 acres and 100 perches of land.

Acknowledged same day before the Mayor of the City of New York, and Recorded December 10th, 1845, in Deed Book A. W. M., No. 1, page 142, &c.

1854. May 8. No. 31.

An Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An act to vacate Timber and Turner's Lanes in the County of Philadelphia," whereby it was enacted, "That Timber Lane, from Schuylkill 5th Street to Columbia Avenue, in the District of Penn, in the County of Philadelphia, be, and the same is hereby vacated, and the title to the soil over which the same passes is hereby vested, in fee simple, in the several owners of grounds adjoining and fronting on said lane respectively, each owner to have and to take one-half part thereof, as far as his respective lot adjoins and fronts upon said lane."

Pamphlet Laws of 1854, page 656, &c.

55. st 6. iced. 32. **Deed.**—Michael V. Baker to Richard Rush, in fee, for a triangular lot of ground beginning on the east line of 16th Street, at the distance of 145 feet southward from the south side of Columbia Avenue; thence extending eastward on a line at right angles with the said 16th Street 197 feet 8½ inches, to a point in the middle of Timber Lane, then vacated, and also a certain new street 40 feet in width, laid out by the parties to this mentioned indenture, and to be opened for public use forever, extending from said Columbia Avenue southward to Oxford Street, midway between 15th and 16th Streets: thence southwestward along the middle of said Timber Lane, 258 feet 3⅜ inches, to the east line of said 16th Street, and thence northward along the east side of said 16th Street, 166 feet 2¼ inches, to the place of beginning (the north-westernmost and larger part of said described lot being part of the said 5 acres and 24 perches so as aforesaid allotted to the said Mary Muhlenberg, and the south-eastern part thereof being part of said Timber Lane, vacated as aforesaid.)

Acknowledged August 7th, 1855, and Recorded October 30th, 1855, in Deed Book R. D. W., No. 52, page 85, &c.

The said Richard Rush being legally seized in his demesne as of fee, of and in that part of the "little farm called Sydenham" devised to him by his mother, Julia Rush, and particularly described in Item No. 24 of this Brief, and also of and in the last above described triangular lot of ground conveyed to him by Michael V. Baker, departed this life on the 30th day of July, 1859, having first made his last will and testament, and codicil, as follows:—

6. 9. 33. **Will** of the said Richard Rush, and codicil thereto, dated May 17, 1859, wherein and whereby he did appoint his sons, Benjamin Rush, J. Murray Rush and Richard Henry Rush, and his son-in-law, John Calvert, to be the executors thereof, and invested them, and the survivors and the survivor of them, with full power and authority at their and his discretion, to sell at public or private sale, for cash or on credit, and to let on ground rent, and to mortgage, and to make partition of all or any part or parts of his real estate in the City of Philadelphia, including that derived from his son Madison, as well as Sydenham, and the house in Eighth, without any obligation on the part of the purchasers to see to the application of the purchase money, or to the due exercise of that power; and also to exchange and square with adjoining owners.

Duly proved October 18th, 1859, and Registered in the proper Office at Philadelphia.

No. 34. The said John Calvert, by writing filed in the Register's Office, renounced and declined the appointment as executor under the said will and codicil, and thereupon letters testamentary were on the 8th day of December, 1859, in due form of law, granted and committed to the said Benjamin Rush, J. Murray Rush and Richard Henry Rush.

And the said J. Murray Rush afterwards departed this life.

1867. August 2. No. 35. **Deed.**—The said Benjamin Rush and Richard Henry Rush, surviving executors of the last will and testament of the said Richard Rush, deceased, to John Davy, in fee, for *All that certain* lot or piece of ground, with the buildings and improvements thereon erected, situate in the (then) Twentieth Ward of the City of Philadelphia, beginning at the north-east corner of Oxford street and Sixteenth street, thence extending northward along the east side of the said Sixteenth street, three hundred and nineteen feet, thence eastward on a line at right angles to said Sixteenth street, by ground of * * * Baker, one hundred and seventy-seven feet ten inches, to the west side of Sydenham street, as laid out for public use, 40 feet in width, thence southward along the west side of Sydenham street, three hundred and nineteen feet, to the north side of said Oxford street, and thence westward along the north side of said Oxford street, one hundred and seventy-seven feet ten inches, to the east side of said Sixteenth street, the place of beginning. (The said lot is composed of the triangular lot of ground conveyed to the said Richard Rush by Michael V. Baker, by Deed No. 32 on this Brief—of part of Timber lane, vacated, of part of the "little farm called Sydenham" devised by Julia Rush to her son, the said Richard Rush, and of a small triangular lot of ground at the north-east corner of Oxford and Sixteenth streets, granted and conveyed by "The Farmers' and Mechanics' Land and Building Association" to the said Benjamin Rush and Richard Henry Rush, executors aforesaid, in fee, by deed of exchange dated February 10th, 1863, and Recorded in Deed Book A. C. H., No. 86, page 35, &c.)

Consideration, 22,595 dollars and 83 cents. United States internal revenue stamps, of the value of 23 dollars, affixed and cancelled.

Acknowledged by Richard Henry Rush, July 18th, 1867, before an Alderman of the City of Philadelphia, and by Benjamin Rush, August 2d, 1867, before an United States Consul at London, in the Kingdom of Great Britain.

Recorded September 21st, 1867, in Deed Book J. T. O., No. 84, page 261, &c.

The said Michael V. Baker being lawfully seized in his demesne as of fee of and in the greater part of the hereinbefore described piece of land containing 8 acres and 100 perches, conveyed to him by Mary Muhlenberg, by the hereinbefore recited deed dated December 9, 1845, of which the lot of ground described in the next hereinafter recited deed from Abraham Baker, trustee, &c., to John Davy, dated September 23d, 1867, is a part—departed this life, having first made his will, as follows:—

4. 4. 36. **Will** of the said Michael V. Baker, wherein and whereby, after making sundry devises and bequests, devised the said premises in a general devise of all the remainder of his real estate, as follows, to wit: "All the remainder of my real estate "whatsoever and wheresoever, now owned by me, or hereafter "to be acquired, I give, devise and bequeath unto my brother, "Abraham Baker, his heirs and assigns forever, *in trust*, to "pay out of the profits and income thereof, after deducting "therefrom all ground rents, taxes, and other charges of every "kind whatsoever on the same, the sum of one thousand "dollars annually, in quarterly payments, to my beloved "mother, Mrs. Elizabeth Baker, for and during the term of "her natural life, and the residue of said profits and income, if "any, and the whole thereof, from and after the decease of my "said mother, to my son, Alfred G. Baker, for and during the "term of his natural life, in such way, and it is my will that "in no case shall the same be in any manner liable for any "debts of his, jointly or severally owing by him, nor in any "way be subject to any lien, attachment or execution therefor, "or to the control or interference of any of his creditors, but "shall be paid into his hands only, or to such persons as he shall "authorize, in writing, to receive the same, and from and after "his decease, then to and for such persons as he by any last "will and testament shall nominate and appoint, whether he "recite this power therein or not, and for want of such last "will and testament, then to and for such child or children "as he may leave at his decease, and to the issue of such child "or children as may be then deceased, their heirs and assigns "forever, equally, share and share alike, the issue of such de-"ceased child, however, to take only the share to which their "deceased parent would be entitled if then living, and for "want of such child or children of my said son, or the issue of "such deceased child, then to and for my brother and sisters, "and the issue of such brother and sisters as may be then "deceased, their heirs and assigns forever, equally, share and "share alike, the issue of such deceased brother or sisters to "take only the share to which their deceased parent would be "entitled if then living. *Provided however*, and it is further

"my will, that at any time after my said son, Alfred G. Baker, "shall have reached the age of forty (40) years, the said trustee, "unless sufficient reasons shall exist in his opinion to the con- "trary, shall, on demand by the said Alfred G. Baker, only "convey said real estate, or any part thereof, to him, his heirs "and assigns, in fee simple, absolutely and free from all trusts, "except the annuity to my said mother, if then alive. *And* I "hereby authorize and empower my said trustee to sell, mort- "gage, or let on ground rent, all my said real estate, or any "portions thereof, to such person or persons, and for such price "or prices, and on such terms as to him shall seem fit, and "without any obligation on the part of any mortgagee or pur- "chaser to see to the proper application of the mortgage or "purchase moneys, and free from any trusts under this will, "and to invest the proceeds of such sale in such good and safe "securities as he may deem best, on the same trusts as herein- "before declared in all respects whatever."

Duly proved June 27th, 1866, and registered at Philadelphia in Will Book No. 57, page 606, &c.

1866. Sept. 19. No. 37.

Deed-Poll, or Instrument of Release.—The said Elizabeth Baker to the said Abraham Baker, trustee, wherein, after reciting the above will of Michael V. Baker, and devise of all the remainder of the real estate unto the said Abraham Baker, his heirs and assigns, in trust, to pay out of the income thereof the sum of $1,000, annually, to the said Elizabeth Baker, during her life, and the balance to Alfred G. Baker, as therein mentioned. And that the said Elizabeth Baker, having ample means, preferred not to accept said annuity, and desired to surrender the same and to release and exonerate the said residuary real estate from all claim or right to claim under said will, she, the said Elizabeth Baker, did remise, release, exonerate and forever discharge the said residuary real estate of the said Michael V. Baker, deceased, of and from the payment of the said annuity or any part thereof.

Acknowledged December 21st, 1867. Recorded same day in Deed Book J. T. O., No. 107, page 223, &c.

The said Abraham Baker, trustee as aforesaid, in pursuance of the power and authority to him given, and in him vested, by the above recited last will and testament, agreed to sell, inter alia, the lot or piece of ground next hereinafter described, with the appurtenances, unto John Davy, for the price or sum of $14,291.66⅔.

867. t. 26.). 38. At an Orphans' Court for the County of Philadelphia, held at Philadelphia, the petition of the said Abraham Baker, trustee aforesaid, was presented, setting forth, inter alia, the said will, and that the said lot of ground (and another lot therein described) were vacant and unimproved, and that it would be for the advantage of the trust estate that the same should be sold; and that the said Michael V. Baker, having departed this life, within five years then last past, the said premises were or might be subject to the lien of his debts not of record, if any such remain unpaid. The said petitioner therefore prayed the said court to make an order and decree authorizing him to sell the said lots of ground and premises for the price or sum aforesaid, and to convey the same to the said John Davy, free, clear and discharged from the lien of the debts not of record of the said Michael V. Baker, if any such there be. Whereupon the said court referred the same to Edward Olmsted, Esquire, as master and examiner.

867. v. 2. . 39. At an Orphans' Court aforesaid, held at Philadelphia, the said Edward Olmsted, master and examiner aforesaid, made report that the price named is a full and fair one for the premises, and reported in favor of such sale, and further reported that the prayer of the said petitioner should be granted. Whereupon the said court confirmed the same, and allowed the prayer of the said petition, and did authorize and direct the said trustee to sell and convey, at private sale, to the said John Davy, the said two lots of ground in the said petition particularly described, for the price or sum of 14,291 dollars and 66 cents, and ordered the said trustee to give security in the sum of 28,583 dollars, which was duly entered accordingly.

867. 7. 23. . 40. **Deed.**—The said Abraham Baker, trustee, &c., to John Davy, in fee, for, inter alia, a certain lot or piece of ground situate at the south-east corner of Sixteenth street and Columbia avenue, in the (then) Twentieth Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street 145 feet, and extending eastward of that breadth in length or depth along the south side of the said Columbia avenue, 172 feet 10 inches, to Sydenham street (now 50 feet wide). [The whole of the said lot of ground (except a small piece at the south-east corner thereof, which is part of Timber lane, vacated) is part of the said hereinbefore described piece of land, containing 8 acres and 100 perches, which Mary Muhlenberg conveyed to Michael V. Baker, by deed dated December 9th, 1845.]

Consideration, $14,291.66⅔. U. S. stamp of value of $14.50 affixed.

Acknowledged same day, and Recorded same day, in Deed Book J. T. O., No. 95, page 476, &c.

By the aforegoing recited conveyance, the said John Davy became seized, in fee, of the square of ground bounded on the north by Columbia avenue, on the south by Oxford street, on the west by Sixteenth street, and on the east by Sydenham street, now 50 feet wide.

1871. July 15. Produced and Examined. No. 41. Satisfied of record.

Deed.—The said John Davy and Harriet his wife to William C. McPherson, in fee, for *all that certain* lot or piece of ground situate on the east side of Sixteenth street, at the distance of 80 feet southward from the south side of Columbia avenue, in the 29th (late 20th) Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street, 157 feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, 107 feet 10 inches. Subject, as respects the southernmost 92 feet in breadth by 100 feet in depth of the above described lot of ground, to the payment of the sum of 4,000 dollars, being the one full equal half-part of a certain mortgage debt or principal sum of 8,000 dollars, secured upon a large lot of ground whereof the same is a part, by an indenture of mortgage given and executed by John Davy to Benjamin Rush and Richard Henry Rush, executors, &c., bearing date the 2d day of August, A. D. 1867, and Recorded in Mortgage Book J. T. O., No. 39, page 211, &c., with interest. [The northernmost 65 feet in breadth of said lot is part of the lot of ground conveyed by the last above recited deed, and the southernmost 92 feet in breadth of the said lot is part of a larger lot which Benjamin and Richard Henry Rush, executors of Richard Rush, deceased, by the hereinabove recited deed, dated August 2, 1867, Recorded in Deed Book J. T. O., No. 84, page 261, granted to said John Davy, in fee.]

Consideration $1. U. S. stamp of the value of $5 affixed and cancelled.

Acknowledged July 15th, 1871, and Recorded August 3d, 1871, in Deed Book J. A. H., No. 171, page 17, &c.

1871. July 15.

Deed.—The said John Davy and Harriet his wife to Jacob Loeser, in fee, for *all that certain* lot or piece of ground situate

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on the east side of Sixteenth street, at the distance of 70 feet northward from the north side of Oxford street, in the 29th (late 20th) Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street 157 feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, 107 feet 10 inches. Subject, as respects the northernmost 127 feet in breadth by 100 feet in depth of the above described lot of ground, to the payment of the sum of 4,000 dollars, being

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the one full equal half-part of the above mentioned mortgage debt or principal sum of 8,000 dollars, secured upon a larger lot of ground whereof the same is a part, by an indenture of mortgage given and executed by John Davy to Benjamin Rush and Richard Henry Rush, executors, &c., dated August 2, 1867, and Recorded in Mortgage Book J. T. O., No. 39, page 211, &c., with interest.

Consideration, $1. U. S. stamp of the value of $5 affixed and cancelled.

Acknowledged same day, and Recorded August 3d, 1871, in Deed Book J. A. H., No. 171, page 14, &c.

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Deed.—The said Jacob Loeser to the said William C. Pherson, in fee, for *a certain* lot or piece of ground situate on the east side of Sixteenth street, at the distance of 70 feet northward from the north side of Oxford street, in the 29th Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street, 36 feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, 107 feet 10 inches. *And also a certain* lot or piece of ground situate on the east side of the said Sixteenth street, at the distance of 166 feet northward from the north side of the said Oxford street, containing in front or breadth on the said Sixteenth street 61 feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, 107 feet 10 inches.

Consideration, $12,933.33.

Acknowledged same day, and Recorded March 30th, 1875, in Deed Book F. T. W., No. 192, page 242, &c.

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Deed.—The said William C. McPherson and Mary M. his wife to Jacob Loeser, in fee, for the said lot or piece of ground situate on the east side of the said Sixteenth street, at the

distance of 70 feet northward from the north side of Oxford street, in the 29th Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street 36 feet, and extending of that width in length or depth eastward 107 feet 10 inches; *and also a* lot or piece of ground situate on the east side of the said Sixteenth street, at the distance of 166 feet northward from the north side of the said Oxford street, in the 29th Ward of the said City, containing in front or breadth on the said Sixteenth street 192 feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, 107 feet 10 inches.

Consideration 30,400 dollars.

Acknowledged same day, and Recorded same day, in Deed Book F. T. W., No. 182, page 476, &c.

No. 45. The said Jacob Loeser subdivided the said last above described lot of ground into eight smaller lots, each 24 feet in breadth on said Sixteenth street, as shown upon plan No. 2, at the end of this Brief, and executed of even date with the last above recited deed, nine bonds and mortgages to the said William McPherson, for 6,000 dollars each, one on each lot numbered from No. 1 to 9, inclusive, as laid out on said plan No. 2.

Prepared from the Records and Title Papers produced, by

JNO. S. YARDLEY.

All that certain lot or piece of ground situate on the east side of Sixteenth street, at the distance of seventy feet northward from the north side of Oxford street, in the Twenty-ninth Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street thirty-six feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, one hundred and seven feet ten inches. *And also, all that certain* lot or piece of ground situate on the east side of the said Sixteenth street, at the distance of one hundred and sixty-six feet northward from the north side of the said Oxford street, in the Twenty-ninth Ward of the said City, containing in front or breadth on the said Sixteenth street one hundred and ninety-two feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, one hundred and seven feet ten inches.

Please to certify every unsatisfied *Mortgage* made of the above described premises, or any part thereof, by

William Henry, from May 1st, 1767, to October 1st, 1792.
William Sheaff, from March 1st, 1780, to January 1st, 1804.
Henry W. Muhlenberg and Mary Muhlenberg, from August 1st, 1803, to January 1st, 1846.
Benjamin Rush, from February 1st, 1794, to May 1st, 1813.
Julia Rush, from January 1st, 1812, to August 1st, 1848.
Richard Rush, from February 1st, 1846, to January 1st, 1860.
Benjamin Rush, Richard Henry Rush, J. Murray Rush, Executors, &c., from June 1st, 1856, to October 1st, 1867.
Michael V. Baker, from December 1st, 1845, to July 1st, 1866.
Abraham Baker, Trustee, &c., from May 1st, 1864, to November 1st, 1867.
John Davy, from August 1st, 1867, to September 1st, 1871.
William C. McPherson, since July 1st, 1871.
Jacob Loeser, since July 1st, 1871.

To F. Theo. Walton, Esq., *Recorder of Deeds, &c.*

JOHN S. YARDLEY.

On searching the Index of Mortgages for the City and County of Philadelphia, I find no unsatisfied mortgages of the above described premises, or any part thereof, given by either of the fifteen (15) persons above named, within the periods specified, except ten (10), one by William C. McPherson to James T. Kirkpatrick, March 30, 1875, for eighteen thousand dollars ($18,000), nine (9) others by Jacob Loeser to William C.

McPherson, dated April 5th, 1875, for six thousand dollars ($6,000) each.

Witness my hand and seal of office, this twenty-second day of July, A. D. 1875.

GEO. W. SAYRE,
Pro Recorder.

[SEAL.]

All that certain lot or piece of ground situate on the east side of Sixteenth street, at the distance of seventy feet northward from the north side of Oxford street, in the Twenty-ninth Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street thirty-six feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, one hundred and seven feet ten inches. *And also, all that certain* lot or piece of ground situate on the east side of the said Sixteenth street, at the distance of one hundred and sixty-six feet northward from the north side of the said Oxford street, in the Twenty-ninth Ward of the said City, containing in front or breadth on the said Sixteenth street one hundred and ninety-two feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, one hundred and seven feet ten inches.

Please to certify all unpaid taxes registered against the above described premises, or any part thereof, in the name of John Davy, William C. McPherson, Jacob Loeser, or in any other name or names.

JOHN S. YARDLEY,
Conveyancer.

To the Receiver of Taxes of the City of Philadelphia.

On examining the Register of unpaid or delinquent Taxes on real estate for the City of Philadelphia, I do not find any taxes for the years 1870 to 1874, inclusive, registered against the above described premises, or any part thereof.

GILBERT S. MOORE,
Reg. Clerk.

To the Prothonotary of the Court of Common Pleas.

On searching the Locality Index of the Court of Common Pleas and late District Court, I find nothing against the above, since July 21, 1870.

[L. S.]

July 21, 1875.

THOS. J. BARNARD,
Pro Prothonotary.

An examination of my Sheriff's Record, as far as collated, fails to discover any Sheriff's sales of the premises as within described.

April 1, 1875. JNO. C. UHLE.

On examining the Indices of Claims in the City Solicitor's Office, I find nothing against the lots as above described.

CHAS. A. BRADY,
per T. C.

July 26, 1875.

All that certain lot or piece of ground situate on the east side of Sixteenth street, at the distance of seventy feet northward from the north side of Oxford street, in the Twenty-ninth Ward of the City of Philadelphia, containing in front or breadth on the said Sixteenth street thirty-six feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, one hundred and seven feet ten inches. *And also, all that certain* lot or piece of ground situate on the east side of the said Sixteenth street, at the distance of one hundred and sixty-six feet northward from the north side of the said Oxford street, in the Twenty-ninth Ward of the said City, containing in front or breadth on the said Sixteenth street one hundred and ninety-two feet, and extending of that width in length or depth eastward between parallel lines at right angles with the said Sixteenth street, one hundred and seven feet ten inches.

Please certify in whose name the above described lot is registered.

JOHN S. YARDLEY,
No. 217 So. 3d Street.

To the Registry Bureau, Department of Surveys.

DEPARTMENT OF SURVEYS.

Registry Bureau,
Philadelphia, April 17, 1875.

I hereby certify, that the above described lot is registered in this department, as follows:—

Former Owner.	*Present Owner.*	*Date of Deed.*
William C. McPherson.	Jacob Loeser.	April 5, 1875.

For Chief Engineer and Surveyor,
JOHN H. DYE,
Registrar.

UNITED STATES,
Eastern District of Pennsylvania, } *sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify, that there are no unsatisfied Judgments remaining on record in my Office, obtained against William C. McPherson or Jacob Loeser, since June 1, 1871.

[L. S.] JOHN B. BEAVER,
Pro Clerk.

Philadelphia, this 27th day of July, A. D. 1875.

UNITED STATES,
Eastern District of Pennsylvania, } *ss.*

I, Charles S. Lincoln, Clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied Judgments remaining on record in my Office, obtained against William C. McPherson or Jacob Loeser, since June 1, 1871.

[L. S.] JOHN B. BEAVER,
Pro Clerk District Court.

Philadelphia, this 27th day of July, A. D. 1875.

I do certify, that, on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, from June 1st, 1871, to the twenty-sixth day of July, one thousand eight hundred and seventy-five, I find no unsatisfied Judgments entered within that period against William C. McPherson or Jacob Loeser.

[L. S.] WM. A. SMITH,
Pro Prothonotary.

On examination of the Judgment Index of the Court of Common Pleas for the County of Philadelphia, and of the late District Court and Court of Common Pleas, from June 1st, A. D. one thousand eight hundred and seventy-one (1871), to the twentieth day of July, one thousand eight hundred and seventy-five (1875), I find no unsatisfied Judgments entered therein within that period against William C. McPherson or Jacob Loeser.

Certified by

[L. S.] CHAS. F. TYER,
Pro Prothonotary.

Court of Quarter Sessions of the Peace for the City and County of Philadelphia.

I certify, that I have examined the Records of the aforesaid Court, and do not find any unsatisfied Judgments against William C. McPherson or Jacob Loeser, since June 1st, 1871.

[L. S.] R. S. GARRISON,
July 27th, 1875. *Pro Clerk.*

Court of Quarter Sessions of the Peace for the City and County of Philadelphia.

I certify, that I have examined the Records of the aforesaid Court, and do not find any unsatisfied Judgments against John Davy, since August 1st, 1867.

[L. S.] R. S. GARRISON, *Pro Clerk.*
[5 ct. Stamp.] August 4, 1871.

On examination of the Judgment Index of the District Court for the City and County of Philadelphia, from August 1st, A. D. one thousand eight hundred and sixty-seven (1867), to the fifth day of August, one thousand eight hundred and seventy-one (1871), I find no unsatisfied Judgments entered therein within that period against John Davy.

Certified by

[L. S.] D. A. ALLISON,
[5 ct. Stamp.] *Pro Prothonotary.*

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia, from August 1st, A. D. one thousand eight hundred and sixty-seven (1867), to the fifth day of August, one thousand eight hundred and seventy-one (1871), I find no unsatisfied Judgments entered therein within that period against John Davy.

Certified by

[L. S.] S. COULTER, Jr.
[5 ct. Stamp.] *Pro Prothonotary.*

UNITED STATES, }
Eastern District of Pennsylvania, } *sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify, that there are no unsatisfied Judgments remaining on record in my Office, obtained against John Davy, since August 1st, 1867.

[L. S.] JOHN B. BEAVER,
[5 ct. Stamp.] *Pro Clerk.*

Philadelphia, this 4th day of August, A. D. 1871.

UNITED STATES,
Eastern District of Pennsylvania, } *ss.*

I, Gilbert R. Fox, certify that there are no unsatisfied Judgments remaining on record in my Office, obtained against John Davy, since August 1, 1867.

[L. S.] JOHN B. BEAVER,
[5 ct. Stamp.] *Pro Clerk District Court, U. S.*

Philadelphia, this 4th day of August, A. D. 1871.

I, James Ross Snowden, Prothonotary, do certify, that on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, from August 1st, 1867, to the fifth day of August, one thousand eight hundred and seventy-one, I find no unsatisfied judgment entered within that period against John Davy.

[L. S.] CHAS. B. ROSS,
[5 ct. Stamp.] *Pro Prothonotary.*

Continuation of Title

TO

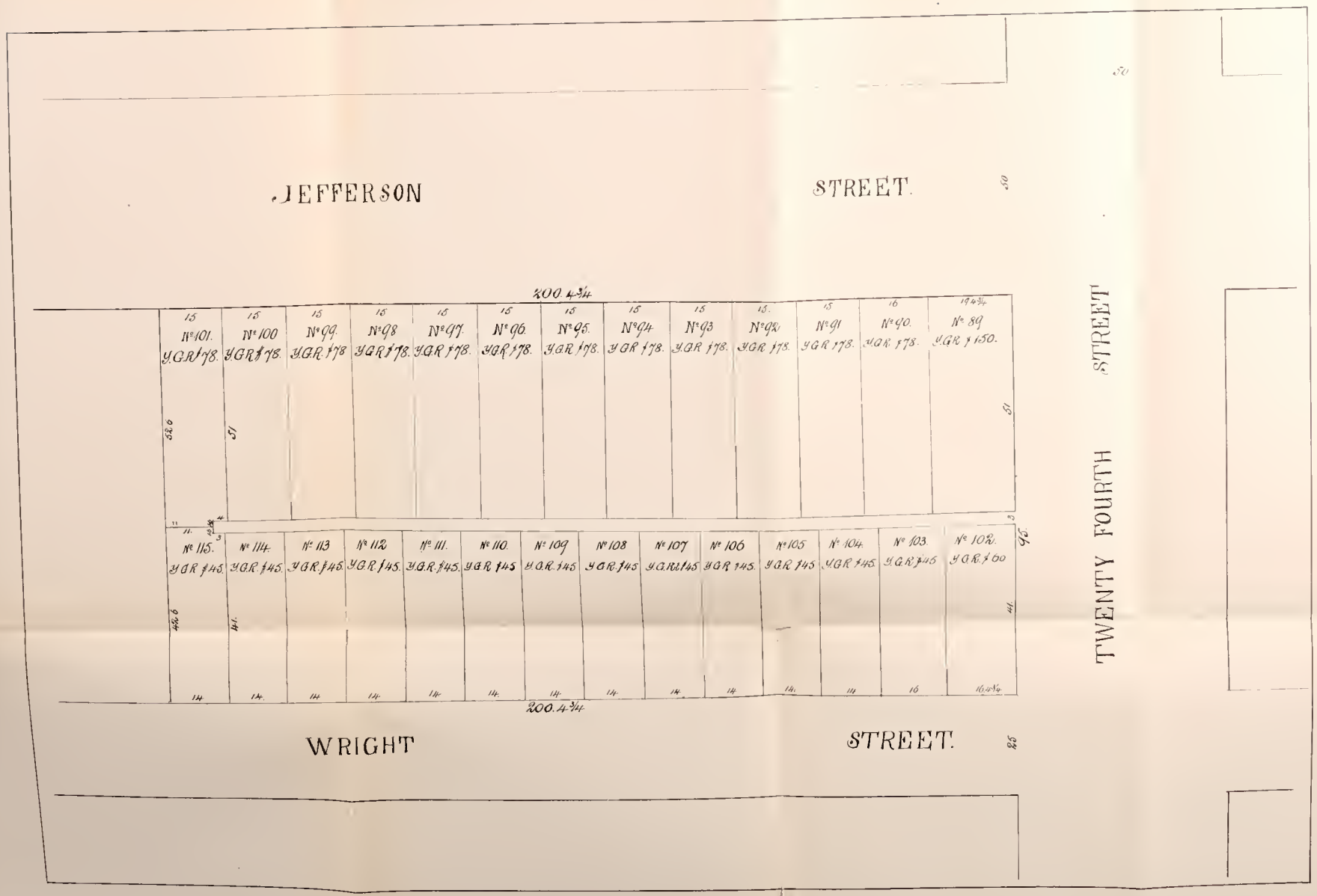
TWENTY-SEVEN LOTS OF GROUND

On the South side of Jefferson street and North side of Wright street, West of Twenty-fourth street, in the Twenty-ninth Ward of the City of Philadelphia,

BELONGING TO

JOHN M. SHARP.

PHILADELPHIA:
ALLEN, LANE & SCOTT'S PRINTING HOUSE,
Nos. 229-231 South Fifth Street.
1883.


JEFFERSON STREET.
200.4¾
15 Nº101. Y.G.R/178. 52.6
15 Nº100 Y.G.R/178. 51
15 Nº99. Y.G.R/178
15 Nº98 Y.G.R/178.
15 Nº97. Y.G.R/178.
15 Nº96. Y.G.R/178.
15 Nº95. Y.G.R/178.
15 Nº94 Y.G.R/178.
15 Nº93 Y.G.R/178.
15 Nº92 Y.G.R/178.
15 Nº91 Y.G.R/178.
16 Nº90. Y.G.R/178.
19¼ Nº89 Y.G.R/150. 51
Nº115. Y.G.R/145. 42.6
Nº114 Y.G.R/145. 41.
Nº113 Y.G.R/145.
Nº112 Y.G.R/145.
Nº111. Y.G.R/145.
Nº110. Y.G.R/145
Nº109 Y.G.R/145
Nº108 Y.G.R/145
Nº107 Y.G.R/145
Nº106 Y.G.R/145.
Nº105 Y.G.R/145
Nº104 Y.G.R/145.
Nº103. Y.G.R/145
Nº102. Y.G.R/160 41
14 14 14 14 14 14 14 14 14 14 14 14 16 16¼
200.4¾
WRIGHT STREET.
TWENTY FOURTH STREET

Continuation of Title

TO

TWENTY-SEVEN LOTS OF GROUND

On the South side of Jefferson street and North side of Wright street, West of Twenty-fourth street, in the Twenty-ninth Ward of the City of Philadelphia,

BELONGING TO

JOHN M. SHARP.

PHILADELPHIA:
ALLEN, LANE & SCOTT'S PRINTING HOUSE,
Nos. 229-231 South Fifth Street.
1883.

CONTINUATION OF TITLE

TO

ALL THAT CERTAIN LOT OR PIECE OF GROUND situate at the south-west corner of Twenty-fourth and Jefferson streets, in the Twenty-ninth Ward of the city of Philadelphia, containing in front or breadth on the said Jefferson street two hundred feet four and three-quarters inches, and extending of that width in length or depth southward ninety-five feet to Wright street.

For prior title, see printed brief to "Eighty-eight Lots of Ground belonging to John M. Sharp," page 26.

Deed.—William Sharswood to James Sharswood in fee for all that undivided moiety or half part estate, right, title, interest, property, claim, and demand whatsoever of him, the said William Sharswood, in law, equity, or otherwise, of, in, and to, *inter alia*, all that certain lot or piece of ground situate on the south-west corner of Twenty-fourth and Jefferson streets; beginning at said corner, thence extending southward along the said Twenty-fourth street one hundred and one feet three and five-eighths inches to a point; thence westward on a line parallel with Jefferson street two hundred feet four and three-quarters inches to a point; thence northward on a line parallel with Twenty-fourth street one hundred and one feet three and five-eighths inches to Jefferson street; thence eastward along said Jefferson street two hundred feet four and three-quarters inches to Twenty-fourth street and place of beginning.

1869. December 4th

Acknowledged same day.

Recorded February 1st, 1870, in Deed-book J. A. H., No. 10, page 535, &c.

1870. February 15th. **Deed Poll.**—Agnes J. Sharswood, widow and relict of William Sharswood, to James Sharswood, his heirs and assigns, remising and releasing all her dower, and right and title of dower, and other interest, right, or title whatsoever, of, in, to, or out of the above-described lot of ground.

Acknowledged same day.

Recorded February 16th, 1870, in Deed-book J. A. H., No. 17, page 468, &c.

1871. November 29th **Deed.**—James Sharswood and Eudora his wife to Samuel P. Hutchinson in fee for, *inter alia*, the same lot of ground.

Acknowledged same day.

Recorded December 11th, 1871, in Deed-book J. A. H., No. 203, page 123, &c.

1871. November 29th **Declaration of Trust,** Under the hands and seals of Samuel P. Hutchinson (reciting the last-above abstracted deed), in the words following, to wit:—

"I, Samuel P. Hutchinson, do acknowledge, confess, and declare that the above-recited conveyance to me of the above-described three several lots of ground was made only in trust for the only proper use, benefit, and behoof of Eudora Sharswood, wife of James Sharswood, her heirs and assigns; and I do further declare and agree, that I will stand and be seized of the three several lots of ground subject to the incumbrances against them with the appurtenances, in trust for the said Eudora Sharswood, her heirs and assigns, and will at any time, upon request to me made by her, and by her becoming a party to and signing any deed or deeds, grant, bargain, and sell all or any part or portions of the premises above described to any

person or persons she may designate: *Provided, however,* That all the charges, costs, and expenses incident to this trust shall be first paid to me by the said Eudora Sharswood, her heirs and assigns; and I will further, at any time, upon request to me made, make and execute a deed for the whole or any part of the said premises to the said Eudora Sharswood, her heirs and assigns, upon the payment of all costs and charges and expenses incident to this trust, &c.

Acknowledged January 8th, 1872.

Recorded June 5th, 1872, in Deed-book J. A. H., No. 253, page 147, &c.

1872. March 16th. **Deed.**—Samuel P. Hutchinson and wife to Eudora Sharswood in fee for, *inter alia*, same lot of ground.

Acknowledged same day.

Recorded June 10th, 1872, in Deed-book J. A. H., No. 254, page 234, &c.

1874. August 1st. **Deed.**—James Sharswood and Eudora his wife to George C. Shelmerdine in fee for same lot of ground.

Acknowledged same day.

Recorded August 15th, 1874, in Deed-book F. T. W., No. 139, page 479, &c.

1876. March 15th. **Deed.**—George C. Shelmerdine and wife to William H. Shelmerdine in fee for same lot of ground.

Acknowledged same day.

Recorded March 16th, 1876, in Deed-book D. H. L., No. 7, page 353, &c.

1880. March 5th. **Deed.**—William H. Shelmerdine and wife to Enos R. Artman in fee for the lot of ground described at the head of this continuation, being part of the above-described lot.

Acknowledged same day.

Recorded March 18th, 1880, in Deed-book L. W., No. 91, page 87, &c.

1883. August 9th. **Deed.**—Enos R. Artman and wife to Eliza H. Murphy in fee for same lot of ground.

Acknowledged same day.

Recorded August 22d, 1883, in Deed-book J. O'D., No. 139, page 171, &c.

1883. August 18th. **Twenty-seven Deeds.**—Eliza H. Murphy to William L. Rhinehart in fee for the twenty-seven lots of ground as shown upon the following plan, reserving thereout unto the said Eliza H. Murphy, her heirs and assigns, twenty-seven yearly ground-rents, as thereon designated.

Acknowleged same day.

Recorded August 22d, 1883, in Deed-book J. O'D., No. 139, pages 207[89], 211[90], 215[91], 219[92], 224[93], 228[94], 232[95], 236[96], 240[97], 244[98], 248[99], 252[100], 256[101], 261[102], 265[103], 269[104], 273[105], 277[106], 281[107], 285[108], 289[109], 293[110], 298[111], 302[112], 306[113], 310[114], 314[115], &c.

Deed.—William L. Rhinehart to John M. Sharp in fee for the said twenty-seven lots of ground, subject to the aforesaid twenty-seven yearly ground-rents, 1883. August 18th.

Acknowledged same day.

Recorded August 22d, 1883, in Deed-book J. O'D., No. 139, page 203, &c.

Extracted from the records and papers produced by

EDWIN T. COXE,
T. ELWOOD POTTS.

August, 1883.

CERTIFICATES OF SEARCH.

All that certain lot or piece of ground situate at the southwest corner of Twenty-fourth and Jefferson streets, in the Twenty-ninth Ward of the city of Philadelphia, containing in front or breadth on the said Jefferson street two hundred feet four and three-quarters inches, and extending of that width in length or depth southward ninety-five feet to Wright street.

Certify any unsatisfied mortgage or mortgages of the above-described premises or any part thereof, given by

Benjamin James, from January 1st, 1786, to August 1st, 1791.

James Sharswood, from July 1st, 1791, to October 1st, 1836.

Thomas Shipley, from January 1st, 1825, to July 1st, 1825.

John Lambert, from May 1st, 1825, to February 1st, 1851.

Elizabeth Lambert, from October 1st, 1843, to February 1st, 1851.

William Sharswood, from September 1st, 1836, to March 1st, 1870.

George Sharswood, from September 1st, 1836, to February 1st, 1870.

James Sharswood, from February 1st, 1864, to September 1st, 1874.

Samuel P. Hutchinson, from November 1st, 1871, to July 1st, 1872.

Eudora Sharswood, from November 1st, 1871, to September 1st, 1874.

George C. Shelmerdine, from July 1st, 1874, to April 1st, 1876.

William H. Shelmerdine, from March 1st, 1876, to April 1st, 1880.

Enos R. Artman, since March 1st 1880.

E. T. COXE.

To The R. E. T. Ins. and T. Co., of Phila.

No. 27038.

The Real Estate Title Insurance, and Trust Company of Philadelphia hereby certifies that there is no unsatisfied mortgage on record of the above-described premises, or any part thereof given by either of the thirteen (13) persons above named and recorded within the periods above specified, except one as per schedule.

Witness the seal of the said Company the thirteenth day of August, A. D. 1883.

JOHN B. HENKELS,
Clerk.

May 3 | 75. Geo. C. Shelmerdine to William Pollock, $6000, Rec. May 3 | 75, F. T. W. 251, page 263.

None to August 23 | 83, inclusive.

JOHN B. HENKELS,
Clerk.

Search has also been made from 1749 to June 30th, 1883, in the company's locality indexes of the unsatisfied mortgages which have been located and no other mortgages affecting the premises as described have been found therein except two, viz.:—

June 10 | 22. Geo. Laudenslager to Thomas Shipley, $2898.87, Rec. June 17 | 22, I. H. 2, page 565.

June 10 | 22. Same to same, $2415.73, Rec. June 17 | 22, I. H. 2, page 567.

JOHN B. HENKELS,
Clerk.

The two above certified mortgages given by Geo. Laudenslager to Thomas Shipley are both discharged by Sheriff's sale under proceedings had upon the bond accompanying the first thereof.

E. T. COXE.

No. 20416.

The Real Estate Title Insurance, and Trust Company of Philadelphia hereby certify that there have been no Sheriffs' sales of the above-described premises since December 1st, 1843.

Witness the seal of the said corporation the thirteenth day of August, A. D. 1883.

JOHN B. HENKELS,
Clerk.

None to August 23 | 83, inclusive.

JOHN B. HENKELS,
Clerk.

There are no deeds of the above-described premises or any part thereof made by Marshalls of the United States for the Eastern district of Pennsylvania, and recorded between December 1st, 1843, and August 9th, 1883, in the clerk's office of the United States District Court at Philadelphia.

JOHN B. HENKELS,
Clerk.

None to August 23 | 83, inclusive.

JOHN B. HENKELS,
Clerk.

Certify any conveyance or conveyances of the above-described premises or any part thereof by

George C. Shelmerdine, from July 1, 1874, to April 1, 1876.

William H. Shelmerdine, from March 1, 1876, to April 1, 1880.

Enos R. Artman, since March 1, 1880.

E. T. COXE.

To the R. E. T. Ins. and T. Co., of Phila.

No. 9752.

The Real Estate Title Insurance, and Trust Company of Philadelphia hereby certifies that there is no conveyance of the above-described premises or any part thereof, made by either of the three (3) persons above named and recorded in Philadelphia within the periods above specified, except two as per schedule below.

Witness the seal of the said Company the thirteenth day of August, A. D. 1883.

JOHN B. HENKELS,
Clerk.

March 15 | 76. George C. Shelmerdine *et ux.* to William H. Shelmerdine, Rec. March 16 | 76, D. H. L. 7, page 353.

March 5 | 80. William H. Shelmerdine *et ux.* to Enos R. Artman, Rec. March 18 | 80, L. W. 91, page 87.

No others to August 23 | 83, inclusive, except one, viz.:—

Aug't 9 | 83. Enos R. Artman *et ux.* to Eliza H. Murphy, Rec. Aug't 22 | 83, J. O'D. 139, page 171.

JOHN B. HENKELS,
Clerk.

Search has also been made from May 3d, 1879, to February 28th, 1883, in the company's locality indexes of conveyances which have been located and no other conveyances affecting the premises as described have been found therein.

JOHN B. HENKELS,
Clerk.

Certify any unpaid taxes registered against the premises above described in the name of William H. Shelmerdine, Enos R. Artman, or in any other name or names.

E. T. COXE.

On examining the register of unpaid taxes for the city of Philadelphia for the years 1878 to 1882, inclusive, I find nothing against the above-described premises.

W. M. NEISSER,
C. S. C.
8 | 15 | 83.

On searching the indices of claims in the City Solicitor's office, I find nothing against the premises as above described.

ROBERT T. CORSON,
Ass't Solicitor.
August 13 | 83.

None to August 23d, 1883.
R. T. C.

On examining the locality indices of the Court of Common Pleas and late District Court, I find nothing against the

above-described premises since August 13th, 1878, except C. P. 2; J. 81, 108; June 9 | 81, $283.88.

S. B. VAN DUSEN,
Pro Pro'y.
August 13th, 1883.

Money paid into court.

J. W. F.,
Pro Proth'y.

Please certify in whose name the above-described lot is registered.

To the Registry Bureau, Department of Surveys.

DEPARTMENT OF SURVEYS. REGISTRY BUREAU.

PHILADELPHIA, August 13th, 1883.

I hereby certify that the above-described lot is registered in this department as follows:—

Former Owner.	Present Owner.	Date of Deed.
William H. Shelmerdine.	Enos R. Artman.	March 5, 1880.

SAM'L L. SMEDLEY,
Chief Engineer and Surveyor.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *Sct.*

I, Samuel Bell, clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remain-

ing on record in my office, obtained within the last five years, against William H. Shelmerdine, Enos R. Artman.

JOHN B. BEAVER,
Pro Clerk Circuit Court.

PHILADELPHIA, This fifteenth day of August, A. D. 1883.

None to August 23d, 1883.

J. B. BEAVER,
Pro Clerk.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *ss.*

I, Charles S. Lincoln, clerk of the District Court of the United States, for the Eastern District of Pennsylvania, certify that there are no unsatisfied judgments remaining on record in my office, obtained within the last five years, against William H. Shelmerdine, Enos R. Artman.

JOHN B. BEAVER,
Pro Clerk District Court.

PHILADELPHIA, This fifteenth day of August, A. D. 1883.

None to August 23d, 1883.

J. B. BEAVER,
Pro Clerk.

On examination of the Judgment Index of the Court of Common Pleas, for the County of Philadelphia, from August 12th, A. D. one thousand eight hundred and seventy-eight (1878), to the thirteenth day of August, one thousand eight hundred and eighty-three (1883), I find the following unsatisfied judgments entered therein within that period,

against] Enos R. Artman. City to use.—2; J. 81, 108 M. L. D; June 9 '81, $283.88.

Certified by

S. B. HOPPIN,
Pro Prot'y.

No other to August 23d, 1883.

C. N. KRETSCHMAR,
P. P.

For explanation of above claim, see Locality Search.

E. T. C.

On examination of the Judgment Index of the Court of Common Pleas, for the county of Philadelphia, from August 12th, A. D. one thousand eight hundred and seventy-eight (1878), to the thirteenth day of August, one thousand eight hundred and eighty-three (1883), I find the following unsatisfied judgments entered therein within that period against William H. Shelmerdine: J. Keller *et al.* 4; J 76, 1447; Bispham, Mch. 24, '81, N. P.

Certified by

S. B. HOPPIN,
Pro Pro'y.

The above certified N. P. does not affect premises in question, having been entered long subsequent to the conveyance of the same by William H. Shelmerdine. E. T. C.

I do certify that, that on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, for five years prior to the fifteenth day of August (1883), one thousand eight hundred and eighty-three (1883), I find no un-

satisfied judgments entered within that period against William H. Shelmerdine or Enos R. Artman.

WM. A. SMITH,
Pro Pro'y.

None to August 23d, 1883.

WM. A. SMITH,
Pro Proth'y.

COURT OF QUARTER SESSIONS OF THE PEACE, FOR THE CITY AND COUNTY OF PHILADELPHIA.

I certify that I have examined the records of the aforesaid court for five years past, and do not find any unsatisfied judgments against William H. Shelmerdine, Enos R. Artman, August 18th, 1883.

[SEAL] CHARLES W. YOCE,
Pro Clerk.

None to August 24th, 1883. W. L. F.

The Real Estate Title, Insurance and Trust Company of Philadelphia hereby certify that the lists of judgments in the United States Circuit Courts at Pittsburgh, Erie, and Williamsport, and the United States District Court at Pittsburgh, Pennsylvania, certified to them by the clerks of said courts, do not show any judgments against William H. Shelmerdine, Enos R. Artman, from August 13th, 1878, to August 13th, 1883, inclusive.

Witness the seal of the said corporation, the sixteenth day of August, A. D. 1883.

JOHN B. HENKELS,
For Secretary.

None to August 23d, '83, inclusive.

JOHN B. HENKELS.

All that certain lot or piece of ground situate at the south-west corner of Twenty-fourth and Jefferson streets, in the Twenty-ninth Ward of the city of Philadelphia, containing in fronth or breadth on the said Jefferson street two hundred feet four and three-quarters inches, and extending of that width in length or depth southward ninety-five feet to Wright street.

Certify any unsatisfied mortgage or mortgages of the above-described premises or any part thereby given by

Eliza H. Murphy,
William L. Rhinehart,
John M. Sharp,
} since August 1st, 1883.

No. 28283.

The Real Estate Title Insurance, and Trust Company of Philadelphia hereby certifies that there is no unsatisfied mortgage on record of the above-described premises or any part thereof, given by either of the three (3) persons above named and recorded within the periods specified.

Witness the seal of the said Company the tenth day of October, A. D. 1883.

JOHN B. HENKELS,

[SEAL] *Clerk.*

Search has also been made from 1749, to September 12th, '83, in the company's locality indexes of the unsatisfied mortgages which have been located and no mortgages affecting the premises as described have been found therein, except three, viz :—

May 3 | 75. George C. Shelmerdine to Wm. Pollock, $6000,
Rec. May 3 | 75, F. T. W. 251, page 263.

June 10 | 22. Geo. Laudenslager to Thomas Shipley, 2898\frac{87}{}$, Rec. June 17 | 22, I. H. 2, page 565.

June 10 | 22. Same to same, 2415\frac{73}{}$, Rec. June 17 | 22, I. H. 2, page 567.

JOHN B. HENKELS,
Clerk.

The two above certified mortgages given by Geo. Laudenslager to Thomas Shipley are both discharged by Sheriff's sale under proceedings had upon the bond accompanying the first thereof.

E. T. COXE.

All that certain lot or piece of ground situate at the southwest corner of Twenty-fourth and Jefferson streets, in the Twenty-ninth Ward of the city of Philadelphia, containing in front or breadth on the said Jefferson street two hundred feet four and three-quarters inches, and extending of that width in length or depth southward ninety-five feet to Wright street.

On examining the locality indices of the Courts of Common Pleas and late District Court, I find nothing against the above-described premises since August 1st, 1883, except C. P. 2; J. 81, 108; Sept. 14 | 83; S. F.

S. B. VAN DUSEN,
Pro Pro'ty.

[SEAL]

October 9th, 1883.

Money paid into court.

C. B. R.,
Dpy Proth'y

On examination of the Judgment Index of the Court of Common Pleas, for the county of Philadelphia, from August

1st, A. D. one thousand eight hundred and eighty-three (1883), to the sixth day of October, one thousand eight hundred and eighty-three (1883), I find the following unsatisfied judgments entered therein within that period against John M. Sharp; City to use—2; J. 81; M. L. D. 108; Grace; Sep't 14 | 83; S. F.

Certified by

S. B. HOPPIN,

[SEAL] *Pro Pro'y.*

For explanation see locality search.

On examination of the Judgment Index of the Court of Common Pleas, for the county of Philadelphia, from August 1st, A. D. one thousand eight hundred and eighty-three (1883), to the sixth day of October, one thousand eight hundred and eighty-three (1883), I find no unsatisfied judgments entered therein within that period against Eliza H. Murphy, William L. Rhinehart.

Certified by

S. B. HOPPIN,

[SEAL] *Pro Pro'y.*

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *Sct.*

I, Samuel Bell, clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining on record in my office, obtained within the last five years, against Eliza H. Murphy, William L. Rhinehart, John M. Sharp.

JOHN B. BEAVER,

[SEAL] *Pro Clerk Circuit Court.*

PHILADELPHIA, This eighth day of October, A. D. 1883.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *ss.*

I, Charles S. Lincoln, clerk of the District Court of the United States, for the Eastern District of Pennsylvania, certify that there are no unsatisfied judgments remaining on record in my office, obtained within the last five years, against Eliza H. Murphy, William L. Rhinehart, John M. Sharp.

JOHN B. BEAVER,
Pro Clerk District Court.

[SEAL]

PHILADELPHIA, This eighth day of October, A. D. 1883.

Brief of Title

3

to

A lot or piece of land in the 28th Ward
of the City of Philadelphia

Brief of Title

TO

All that lot or piece of land comprising the whole of lot No. 5 and the Southernmost and greater part of lot No. 6 on the plan of partition of the estate of Martha Renshaw deceased situate on the Easterly side of the road leading from the Ridge Road to Nicetown in the Township of the Northern Liberties in the County of Philadelphia; Beginning at a stake at the intersection of the said road leading to Nicetown and another road thence by the Nicetown Road North 58 degrees 20 minutes East 91 perches to a stake a corner of lot marked in the said plan No. 4 thence partly by the said lot No. 4 and partly by the remaining part of the said lot No. 6 sold to John C. Gardy South 31 degrees 40 minutes East 60 perches more or less to ground formerly of Charles Wharton now of William Wharton thence by the said land of William Wharton South 57 degrees 15 minutes West 36 perches and nine tenths of a perch more or less to a stake thence partly by the land of William Wharton and partly by the aforesaid road North 73 degrees 15 minutes West 81 perches and five tenths of a perch (sometimes erroneously called 130 perches and seven tenths of a perch) to the place of beginning. Containing 24 acres and twenty-eight hundredths of an acre of land more or less.

1718 July 10 — PATENT.- William Penn Proprietor &c. to Thomas Shute in fee for 120 acres of land in the Township of the Northern Liberties in the County of Philadelphia.

Examined Record — Enrolled in Patent Book A. vol. 5 page 354 &c. and in Exemplification Record at Philadelphia No. 2 page 209.

1739 June 10 — DEED.- Thomas Shute and Elizabeth his wife to their son William Shute and Elizabeth his wife and their children Rebecca, Martha and Elizabeth Shute for the said tract of 120 acres and the messuage thereon. To hold to them the said William Shute and Elizabeth his wife for and during all their natural lives and the life of the survivor of them and after their decease to the only proper use and behoof of the said Rebecca Shute, Martha Shute and Elizabeth Shute and their heirs and assigns forever.

Examined Record

Acknowledged by Thomas Shute 25th November, 1748. Recorded in Deed Book H. vol. 1 page 280 &c.

Recited — The said William Shute and Elizabeth his wife departed this life. And their daughter the said Elizabeth Shute also departed this life; whereby the said premises became vested in her sisters the said Rebecca Shute and Martha Shute as heirs at law, agreeably to the said last recited deed.

Recited } The said Rebecca Shute intermarried with a certain Thomas Hood, and afterwards departed this life in the lifetime of her sister Martha, whereupon the said Martha and her heirs became seized of the whole of the said messuage and plantation in right of survivorship.

Recited } The said Martha Shute married John Renshaw, whom she survived, and then likewise departed this life intestate leaving issue six children, namely, William, Thomas, James and John Renshaw and Rebecca Williams and Isabella Randall, and eleven grandchildren, namely, John Livingston the only son and issue of her daughter Elizabeth Livingston deceased Richard Hunt and Ann Hunt, William Hunt, Glover Hunt and James Hunt the children and issue of her daughter Mary Hunt deceased and Martha Hunter, Elizabeth Wilson, Sarah Snyder, Ellen Price and White Matlock * the children and issue of her daughter Sarah Matlock deceased, to whom the said messuage plantation land and premises descended as heirs at law.

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* The name of White Matlock does not appear on the Docket in the following proceedings, nor in any of the original papers except that it is interlined in one place in the petition. He, however, unites with his sisters in a deed for lot No. 7, which deed recites the proceedings.

1806
Sept. 19

Examined
Record

Docket
1803 to 1806
pages
124 - 150

At an Orphans' Court held at Philadelphia for the City and County of Philadelphia held this day.

The petition of William, Thomas, James and John Renshaw Rebecca Williams William Hunter Chandler Price George Snyder Robert Wilson and John Livingston was presented.

Setting forth that Martha Renshaw l· of the Township of the Northern Liberti had lately died intestate seised in fee of a messuage tenement and tract of land situate in the said Township, Containing 120 acres more or less, and leaving issue William, Thomas, James and John Renshaw Rebecca Williams (then a widow) and Isabella then married to Thomas Randall, and the following grandchildren viz: Martha then married to William Hunter, Elizabeth then married to Robert Wilson, Sarah then married to George Snyder, and Eleanor then married to Chandler Price, which Martha, Elizabeth, Sarah and Eleanor were the children of Sarah the wife of Titus Matlack and daughter of the intestate, John Livingstone only child of Elizabeth the wife of James Livingstone and daughter of the intestate, and William, Richard, Ann, Glover and James Hunt the children of Mary the wife of Richard Hunt and daughter of the intestate, which Sarah and Titus Matlack, Elizabeth and James Livingston and Mary Hunt all died in the life time of the said intestate, and which Glover and James Hunt were minors under the age of 21 years. And praying an inquest to make partition of the said tract of land according to the several Acts of Assembly.

Whereupon the Court awarded an inquest accordingly.

Docket No. 22 page 124 &c.

1806 December — Return of sheriff and inquest whereby there was allotted to William, Richard, Ann, Glover and James Hunt the children of Mary and Richard Hunt the lot No. 5 on the plan, Containing 13 acres 80 perches and to John Renshaw the lot No. 6 on the plan, Containing 12 acres.

Whereupon the said return was confirmed and partition decreed in accordance therewith.

Docket No. 22 page 150 &c.

1808 February 13 Produced — DEED.- Richard Hunt junior and Edith his wife and Ann Hunt in consideration of $400.- to Robert Kennedy his heirs and assigns for all their two full equal undivided fifth parts and all other their estate right title interest property &c. of in and to all that lot or piece of land marked No. 5 as aforesaid situate lying and being on the Easterly side of the public road leading from the Ridge Road to Nicetown in the Township of the Northern Liberties and County of Philadelphia, Beginning at a stake at the intersection of the said public road leading from Nicetown and another road thence extending along the Easterly side of the said Nicetown Road North 58 degrees East 62 perches and five-tenths of a perch to a stake corner of the lot marked in the plan of partition above mentioned No. 6 allotted to John Renshaw thence by said lot No. 6 South 31 degrees 40 minutes East 60 perches and eight-tenths of a perch to a stake in the line of Mount Justice's land thence by said Justice's line South 57 degrees 15 minutes West 8 perches and four-tenths of a perch to a stake thence partly by Charles Wharton's land and partly by the said other road North 73

degrees 15 minutes West 130 perches and seven-tenths of a perch (should be 81 perches and five-tenths of a perch. Vide plan in return of partition) to the place of beginning; Containing 13 acres 80 perches. Subject to the payment of an annuity of $8.- unto Richard Hunt senior the father of the said Richard and Ann Hunt on the thirteenth of February in every year during his natural life and no longer but free and clear of and from all mortgages debts judgments and other liens and incumbrances whatsoever. And a covenant on the part of the said Robert Kennedy to pay the said annuity and a covenant by Richard Hunt junior Ann Hunt and Richard Hunt the father for themselves and their heirs &c. the premises granted subject to the said annuity against them and their heirs respectively and against all persons claiming under the said William Shute deceased or either of his children the said Rebecca Martha and Elizabeth or the said Mary Hunt deceased to warrant and forever defend.

Executed by Richard Hunt and wife Ann Hunt and Richard Hunt the father and acknowledged by all except Richard the father 13th February 1808 Recorded 6th June 1808 in Deed Book E. F. No. 31 page 89 &c.

The said Richard Hunt the father hath since departed this life.

Not dated

Certified copy Produced

LETTER OF ATTORNEY.- William Hunt to Richard Hunt junior whereby the said William Hunt did authorize constitute and appoint the said Richard Hunt junior to bargain and sell all his part share estate and interest of and in all that lot or piece of land marked in the plan of partition of the real estate of his deceased grand-mother Martha Renshaw No. 5 containing 13 acres and 80 perches with the appurtenances either at

public or private sale and by good and sufficient deeds and conveyances in law to grant and convey the same to the purchaser or purchasers thereof his her or their heirs and assigns forever and for that purpose to sign his name seal with his seal and as his act and deed to acknowledge and deliver all such deeds and conveyances in the law as should be needful and necessary for the granting and assuring the fee simple and inheritance of and in the premises to the purchaser or purchasers thereof.

Acknowledged 20th July 1808 and Recorded November 11th 1808 in Letter of Attorney Book E. F. No. 3 page 506 &c.

1808 September 19 Produced

DEED.- William Hunt (one of the sons and children of Mary Hunt deceased and also one of the grandchildren of Martha Renshaw above named) by his attorney Richard Hunt Jr. to Robert Kennedy in fee for the one full equal undivided fifth part and all other part estate right title and interest of the said William Hunt of and in the said lot or piece of land marked No. 5 on the plan of partition aforesaid; Containing 13 acres 80 perches. Subject to an annuity of $4.- to Richard Hunt the father for life.

Acknowledged same day and Recorded May 2nd, 1810 in Deed Book I. C. No. 6 page 563.

1810 January 1 Produced

DEED.- Glover Hunt in consideration of $200.- to Robert Kennedy in fee for the one full equal undivided fifth part of him the said Glover Hunt of and in the said lot or piece of land marked No. 5; Containing 13 acres 80 perches. To hold to him the said Rob-

ert Kennedy his heirs and assigns forever free and clear of and from all mortgages annuities judgments liens and incumbrances whatsoever.

Duly executed and acknowledged 5th January, 1810. Recorded 18th April, 1810, in Deed Book I. C. No. 9 page 445 &c.

1810 April 17 Produced

DEED.- Robert Kennedy and wife in consideration of $1080.- to Joseph Sims in fee for all those his the said Robert Kennedy's four full equal and undivided fifth parts of and in the said lot or piece of land, Containing 13 acres and 80 perches.

This deed recites inter alia the said deed from Richard Hunt and wife and Ann Hunt of February 13th, 1808, for two fifths, the said deed from William Hunt of 19th September, 1808, for one fifth, and the said deed from Glover Hunt 1st January, 1810, for one fifth.

Acknowledged same day. Recorded 18th April, 1810, in Deed Book I. C. No. 9 page 447 &c.

1811 June 8 Produced

DEED.- James Hunt one of the grandchildren of Martha Renshaw widow deceased in consideration of $288.83 to the said Joseph Sims in fee for his the said James Hunt's one fifth part of and in the said lot or piece of land; Containing 13 acres and 80 perches. To hold to him the said Joseph Sims his heirs and assigns forever free and clear of and from all mortgages annuities debts judgments liens and incumbrances whatsoever.

Acknowledged 8th June, 1811. Recorded June 8th, 1811, in Deed Book I. C. No. 15 page 181 &c.

1809 June 20 Produced

DEED.- John Renshaw in consideration of $1350.- to Joseph Sims in fee for all that tract lot or piece of land marked in the plan of partition of the estate of the said Martha Renshaw deceased No. 6, Situate in the Northern Liberties aforesaid, Beginning at a stake in the side of the road leading to Nicetown thence by the said road North 58 degrees 20 minutes East 28 perches and five tenths of a perch to stake corner of lot marked in the aforesaid plan No. 4 thence by the said lot No. 4 South 31 degrees 40 minutes East 9 perches and two tenths of a perch to a corner of lot marked in the aforesaid plan No. 7 thence by said lot No. 7 South 31 degrees 40 minutes East 21 perches to land of John C. Wells thence by said land of John C. Wells South 57 degrees 15 minutes West 37 perches and seven tenths of a perch to a stake corner of lot marked on said plan No. 5 thence by said lot No. 5 North 31 degrees 40 minutes West 60 perches and eight tenths of a perch to the place of beginning; Containing 12 acres.

Acknowledged 3rd July, 1809. Recorded 5th July, 1809, in Deed Book I. C. No. 2 page 200.

1851 January 16 Examined Record

DEED.- Joseph Sims to William Wharton in fee for the premises described at the head of this Brief, said to contain 23 acres of land but on a re-survey thereof found to contain 24 acres and twenty-eight hundredths of an acre.

Duly executed. Acknowledged

same day. Recorded 21st January, 1851, in Deed Book G. W. C. No. 74 page 439 &c.

The said William Wharton being so as aforesaid seised in his demesne as of fee of and in said tract of land described at the head of this Brief departed this life having first made and published his last Will and Testament in writing as follows.

1850 February 11 — WILL of William Wharton wherein and whereby after making provision for his wife Deborah F. Wharton intended to be in lieu and bar of dower and a bequest of $600.- to Margaret McGinley to be paid to her in one year he did give devise and bequeath all the residue of his real estate wherever situate and all the rest residue and remainder of his personal estate and property of every kind whatsoever to his two sons Rodman Wharton and Charles William Wharton and to the survivor of them and the heirs executors administrators and assigns of such survivor upon the following trusts viz: inter alia "I hereby direct and em- "power the said trustees after payment of all just debts and "claims against my estate to appoint three judicious and dis- "creet persons to make partitions of my real and personal "estate among all my children and the descendants of such "of my children that may be dead so that an equal share in "value be allotted to each child."

"As respects the share of each and every of my sons of the "real and personal estate, I direct that the said trustees and "the survivor of them do convey and assign such share to "each son and his descendants if he be dead in severalty in "fee simple absolutely."

"As respects the share of real and personal estate of each "and every of my daughters, I direct that the said trustees "and the survivor of them shall continue to hold the same

"for each daughter in severalty or shall convey the same to "some other trustee to be approved of by such daughter and "in either case however in trust to pay the rents interest and "income thereof to such daughter and in case of her mar- "riage to her sole and separate use free from the control "debts or engagements of her husband during the term of "her natural life and after her death in trust to convey to her "right heirs in fee simple." He did further will that in the event of the death of any of his children under 21 years of age and without issue their share to go to the survivor the share going to the daughters to be held in trust as aforesaid. And he did also direct that certain large sums of money advanced to his sons and household furniture given to his daughters and certain other advances therein provided for to be made in money or real estate to be set apart for that purpose to his sons and daughters as is therein named, the daughters' shares to be held in like trust and with like powers by the same trustees, should be taken into consideration in making said partition, such advances to be reckoned as so much towards the share of each of them without interest being reckoned thereon in the partition of said residuary estate, so that in such division all inequalities may be so equalized that the total amount received by any one of his children may be equal in value to that received by each one of the others.

1855 July 14 — CODICIL wherein after stating that his son Rodman Wharton had departed this life he did further declare that it was his intention and will that each of his sons should be at liberty to make wills to dispose of their property devised from him by will "as also my daughters."

Will and Codicil duly proven January 22nd, 1856, and Registered in Book of Wills No. 35, page 46 &c.

Recited in the following Deed of Partition

William Wharton the testator above named left to survive him his widow the said Deborah F. Wharton and issue eight children namely Hannah W. Haydock (wife of Robert Haydock) Sarah W. Barker (wife of Abraham Barker) Mary W. Thurston (wife of Joseph D. Thurston) Anna Wharton, Hetty F. Wharton, Charles William Wharton, Joseph Wharton and William Wharton Jr. and two grand-children W. Rodman and Susan P. Wharton children of the testators deceased son Rodman Wharton who departed this life in the lifetime of the said testator leaving his brother and co-trustee Charles William Wharton him surviving and also leaving to survive him his widow Susan D. Wharton and two children viz: the said W. Rodman Wharton and Susan P. Wharton. The said Mary W. Thurston has since departed this life having first made and published her last will and testament as follows: —

1856 October 24

WILL of Mary W. Thurston wherein and whereby after certain pecuniary bequests she did in pursuance of the power and authority to her given in that behalf by the Will of William Wharton deceased and the Codicil thereto give devise and bequeath all the rest residue reversion and remainder of her estate real personal and mixed whatsoever and wheresoever whether derived from the estate of her father or otherwise howsoever she did give devise and bequeath unto her husband Joseph D. Thurston in trust for her children.

Duly proven November 12th, 1856, and Registered at Philadelphia in Will Book No. 37 page 45 &c.

1859 June 7 | DEED OF MARRIAGE SETTLEMENT between Hetty F. Wharton of the first part Benjamin R. Smith of the second part to Charles William Wharton of the third part his heirs executors administrators and assigns for all her share of the residuary real estate devised and bequeathed by William Wharton deceased to his two sons Rodman Wharton (since deceased) and Charles William Wharton in trust for the said testator's children; To hold the same in trust for the uses and purposes therein fully set forth. With full power at any time during the continuance of said trust with the consent in writing of the said Hetty F. Wharton during her life to grant bargain and sell and absolutely dispose of at public or private sale to any purchaser or purchasers thereof in fee simple, and on receipt of purchase money or securities for such sales to execute releases and conveyances as might be necessary in the law to carry the same into effect. Also to consent to any partition or exchange of said trust property without liability on the part of the purchasers to see to the application of the purchase money.

Duly executed and acknowledged by all the parties June 7th, 1859. Also on motion of Henry Wharton Esq. made on the 18th day of June 1859, entered on the records of the Court of Common Pleas for the purpose of granting unto the grantee his heirs and assigns in absolute fee simple the premises therein mentioned in conformity to the Act of Assembly to facilitate the barring of entails in manner and form common to Sheriff's Deeds, in Sheriff's Deed Book T. page 327 and Recorded June 30th, 1859, in Deed Book A. D. B. No. 72 page 381 &c.

1856 May 5 — DEED POLL.- Deborah F. Wharton, widow, to Charles William Wharton surviving trustee aforesaid his heirs executors administrators and assigns remising releasing quit claiming and confirming to for and upon the trusts and purposes and subject to the same powers and authorities nevertheless whereon whereupon and subject to which the said residue of the real estate of the said testator was then vested in the said Charles William Wharton under the said will as is hereinbefore mentioned, all the dower thirds and right of dower and thirds at the common law and all and every the estate interest claim and demand of in to or out of, inter alia, all the lands tenements and hereditaments late of or belonging to the said testator situate lying and being in the City of Philadelphia or elsewhere; and in lieu and bar and in full satisfaction and discharge thereof she the said Deborah F. Wharton as of the date of the death of the said testator thereby elected to accept and did accept the devise and bequest by the said testator in and by the said Will so as aforesaid made to her according to the tenor and effect thereof.

Duly executed and acknowledged same day. Recorded at Philadelphia same day in Deed Book R. D. W. No. 73 page 237 &c.

1860 January 2 — DEED POLL under the hand and seal of Charles William Wharton in pursuance of the direction and power contained in the said Will of William Wharton deceased above recited and on him devolved whereby he appointed Thomas B. Longstreth Edward Hopper and John M. Ogden to make partition of the real and personal estate of the said William Wharton deceased among all his children and the descendants of such of his children as were dead according to

the true intent and meaning and in all respects agreeably to the provisions of said recited Will of William Wharton deceased as though the same were therein at large set forth.

Duly executed and acknowledged November 13th 1860. Recorded March 28th 1861 in Deed Book A. C. H. No. 11 page 326 &c.

Recited in Deed of Partition

Hannah W. Haydock Sarah W. Barker and Anna Wharton have respectively approved of the said Charles William Wharton to be trustee for them respectively to hold the share of the said real estate which should fall to them respectively upon the partition and division of the real estate of the said William Wharton deceased as therein mentioned which approval is testified by their joining in and executing said deed of partition.

Recited in Deed of Partition

The said Thomas B. Longstreth, Edward Hopper and John M. Ogden performed the duties of their said appointment and divided and allotted the real and personal estate in manner as set forth in said Deed of Partition; And in making such partition of the real and personal estate of the said testator computed and reckoned the advances so as aforesaid made by the testator in his lifetime and since his decease by the said Charles William Wharton surviving trustee as aforesaid in pursuance of the provisions of the said recited Will as so much towards the respective shares allotted to or in trust for the respective children and the grand children of the said testator, so that in such division all inequalities were so equalized that the total amount received by or in trust for any one of the said children and the said grand-children (representing one share)

were made equal in value to that received by or in trust for each one of the others.

And in particular the advances made by said testator in his lifetime to the said Rodman Wharton and the said Joseph Wharton respectively being so computed and reckoned as aforesaid were found by the said Thomas B. Longstreth Edward Hopper and John M. Ogden to be not less in amount and value than the shares which the said Joseph Wharton and the children of the said Rodman Wharton would respectively be entitled to receive if such advances were brought into hotchpot and reckoned as part of the said residuary real and personal estate of the testator upon the partition and division thereof as aforesaid.

1861 March 11 Produced

DEED OF PARTITION under the hands and seals of said Thomas B. Longstreth Edward Hopper and John M. Ogden (also executed by Hannah W. Haydock Sarah W. Barker and Anna Wharton for the purpose of testifying their approval of Charles William Wharton as trustee for them under the Will of William Wharton deceased and also executed by Charles W. Wharton) wherein and whereby the said three persons above named appointed as hereinbefore recited did in pursuance of all powers in them vested by the Will of William Wharton deceased under and by virtue of their appointment by the said Deed Poll dated January 2nd, 1860, allot and assign unto the said Charles William Wharton his heirs executors administrators and assigns inter alia, all that certain lot or piece of ground situate at the Southeast corner of Alleghany Avenue and Twenty-ninth Street in the late Twenty-first Ward now Twenty-eighth Ward of the said City of Philadelphia, Beginning at the said corner and thence Eastwardly along the Southerly line of the said Alleghany Avenue 400

feet to the Westerly line of Twenty-eighth Street thence Southwardly along the West line of Twenty-eighth Street 414 feet 3 inches and seven eighths of an inch to a point thence Southwestwardly 122 feet 7 inches and three eighths of an inch to the North line of Clearfield Street thence Westwardly along the said Clearfield Street 312 feet 3 inches and three eighths of an inch to the Easterly line of the said Twenty-ninth Street and thence Northwardly along the said Twenty-ninth Street 500 feet to the first mentioned point and place of beginning. Bounded Northward by the said Alleghany Avenue Southeasterly by ground of * * * Westward by Twenty-ninth Street Eastward by Twenty-eighth Street and Southward by Clearfield Street. Together with the one full equal moiety of the said Alleghany Avenue, Clearfield Street, Twenty-eighth Street and Twenty-ninth Street which bound on the last above described lot. Also all that certain triangular lot or piece of ground situate in the said Twenty-eighth Ward aforesaid, Beginning at the Northeast corner of the said Alleghany Avenue and Twenty-ninth Street thence Northwardly along the said Twenty-ninth Street 368 feet 8 inches and one half to a point thence South 32 degrees East 507 feet 1 inch and a quarter to the North line of Alleghany Avenue thence Westwardly along the said Alleghany Avenue 348 feet 1 inch and seven eighths of an inch to the place of beginning. Bounded Northeastwardly by ground of * * * * * Southward by Alleghany Avenue and Westward by Twenty-ninth Street. Together with the one full equal moiety of the said Alleghany Avenue and Twenty-ninth Street which bound on the said last above described lot. (Being part of the said tract described at the head of this Brief said to contain 23 acres, but which upon a resurvey of the said tract made by Henry Haines for the purpose of a partition thereof shows a content of 24 acres and twenty-eight hundredths of an acre.)

In trust for the said Hannah W. Haydock and her heirs

in such manner and with and subject to the same powers and authorities as is and are mentioned expressed created and declared in and by the said Will and Codicil thereto of William Wharton hereinbefore particularly recited.

And they did allot and assign unto the said Charles William Wharton his heirs and assigns, all that certain triangular lot or piece of ground situate in the late Twenty-first Ward of the City of Philadelphia now in the Twenty-eighth Ward of the said City, Beginning at the point of intersection of the Lamb Tavern Road with the Nicetown lane thence extending along the said Nicetown Lane North 58 degrees 3 minutes East 219 feet 4 inches and a quarter of an inch to the West side of Thirty-first Street thence Southward along the West side Thirty-first Street 165 feet and one eighth of an inch to the said Lamb Tavern Road thence Westward along the said Lamb Tavern Road 160 feet 3 inches and one half of an inch to Nicetown Lane to the first mentioned point and place of beginning. Together with the one full equal moiety of the said Nicetown Lane, Lamb Tavern Road and Thirty-first Street which bound on the said last described lot. Also all that certain lot or piece of ground beginning at the Northwest corner of Alleghany Avenue and Twenty-ninth Street in the Twenty-eighth Ward aforesaid thence extending Westward along the said Alleghany Avenue 400 feet to the East line of Thirtieth Street thence Northward along the said Thirtieth-Street 24 feet 1 inch and five eighths of an inch to the Southeasterly line of Nicetown Lane thence along the said lane North 58 degrees 3 minutes East 549 feet 7 inches and five eighths of an inch to the said Twenty-ninth Street thence Southward along the West side of the said Twenty-ninth Street 401 feet 1 inch and one quarter of an inch to the place of beginning. Together with one full equal moiety of the said Alleghany Avenue, Nicetown Lane, Twenty-ninth Street and Thirtieth Street which bound on the said last described lot. And also all that certain lot

or piece of ground situate on the West side of the said Twenty-ninth Street at the distance of 87 feet Northward from the North side of Clearfield Street in the said Twenty-eighth Ward, Containing in front or breadth on the said Twenty-ninth Street 163 feet and extending in length or depth of that breadth Westward between parallel lines at right angles to the said Twenty-ninth Street 200 feet. Bounded Northward by ground allotted and assigned to the said Charles William Wharton trustee of Anna Wharton Southward and Westward by ground allotted and assigned unto the said Charles William Wharton trustee of Hetty F. W. Smith and Eastward by the said Twenty-ninth Street. Together with the one full equal moiety of the said Twenty-ninth Street which bounds on the said last described lot. (Also part of said tract described at the head of this Brief.) To hold to him the Charles William Wharton his heirs and assigns forever in severalty.

And did thereby allot and assign unto the said Charles William Wharton his heirs and assigns inter alia all that certain lot or piece of ground beginning at the Southwest corner of Twenty-ninth Street and Clearfield Street in the late Twenty-first Ward now Twenty-eighth Ward of the said City of Philadelphia thence extending Westwardly along the said Clearfield Street 400 feet to the East side of Thirtieth Street thence Southward along the said Thirtieth Street 2 feet and three eighths of an inch to ground of * * * thence Southeastward along the said ground 401 feet 5 inches to the West line of the said Twenty-ninth Street and thence Northward along the West side of the said Twenty-ninth Street 35 feet 8 inches to the first-mentioned corner and place of beginning. Together with one full equal moiety of the said Clearfield Street Twenty-ninth Street and Thirtieth Street which bound on the said last above described lot. Also all that certain lot or piece of ground beginning at the Northwest corner of Clearfield Street and Thirtieth Street in

the Twenty-eighth Ward aforesaid thence extending Westward along the North line of the said Clearfield Street 330 feet to the East line of Thirty-first Street thence Northward along the said Thirty-first Street 267 feet 2 inches and one eighth of an inch to the Southeasterly side of Nicetown Lane thence along the said lane North 58 degrees 3 minutes East 339 feet 5 inches and a quarter to the South side of the said Alleghany Avenue thence Eastward along the South side of the said Alleghany Avenue 102 feet 11 inches and three eighths of an inch to the West side of the said Thirtieth Street and thence Southward along the West side of the said Thirtieth Street 500 feet to the first mentioned corner and place of beginning. Together with one full equal moiety of the said Clearfield Street Lamb Tavern Road Nicetown Lane Alleghany Avenue Thirtieth and Thirty-first Streets which bound on the last above described lot. And also all that certain lot or piece of ground situate at the Southwest corner of Alleghany Avenue and Twenty-ninth Street in the Twenty-eighth Ward aforesaid. Containing in front or breadth on the said Alleghany Avenue 200 feet and extending in length or depth of that breadth Southward along the West side of the said Twenty-ninth Street 250 feet. Bounded Northward by the said Alleghany Avenue Southward by ground allotted to Charles William Wharton Eastward by the said Twenty-ninth Street and Westward by ground allotted to Charles William Wharton trustee of Hetty F. W. Smith. Together with one full equal moiety of the said Alleghany Avenue and Twenty-ninth Street which bound on the said last above described lot (also part of said tract described at the head of this brief).

In trust for Anna Wharton and her heirs in manner and form as set forth in the will of William Wharton deceased and the codicil thereto hereinbefore recited.

And did thereby allot and assign unto the said Charles William Wharton his heirs exectors administrators and

assigns inter alia all that certain lot or piece of ground beginning at the Southeast corner of Alleghany Avenue and Twenty-eighth Street in the late Twenty-first Ward of the City of Philadelphia now in the Twenty-eighth Ward of the said City thence extending Eastward along the South line of the said Alleghany Avenue 11 feet 5 inches and five eighths of an inch to a point thence South 32 degrees East 253 feet 6 inches to a point South 56 degrees 35 minutes West 259 feet 3 inches and three fourths of an inch to the East line of the said Twenty-eighth Street and thence Northward along the East line of Twenty-eighth Street 365 feet 6 inches to the first mentioned point and place of beginning. Together with one full equal moiety of the said Alleghany Avenue and Twenty-eighth Street which bound on the last above described lot. Also all that certain lot or piece of ground beginning at the Southeast corner of Twenty-ninth Street and Clearfield Street thence extending Southward along the East side of the said Twenty-ninth Street 41 feet 6 inches and five eighths of an inch to a point thence Eastwardly 201 feet 11 inches to a point thence North 56 degrees 35 minutes East 83 feet 8 inches and one fourth of an inch to the South line of Clearfield Street thence Westwardly along the South line of Clearfield Street 261 feet 1 inch to the first mentioned point and place of beginning. Together with one full equal moiety of the said Clearfield Street and Twenty-ninth Street which bound on the said last above described lot. And also all that certain lot or piece of ground beginning at the Northwest corner of Twenty-ninth Street and Clearfield Street thence extending Northward along the West line of Twenty-ninth Street 87 feet to ground allotted to the said Charles William Wharton thence Westward at right angles with the said Twenty-ninth Street along the said ground 200 feet to a point thence Northward along the said ground of the said Charles William Wharton and ground allotted unto Charles William Wharton trustee

of Ann Wharton parallel with the said Twenty-ninth Street 413 feet to the South line of Alleghany Avenue thence Westward along the South line of the said Alleghany Avenue 200 feet to the East line of Thirtieth Street thence Southward along the East line of Thirtieth Street 500 feet to the North line of the said Clearfield Street and thence Eastward along the said North line of Clearfield Street 400 feet to the first mentioned point and place of beginning. Together with the one full equal moiety of the said Alleghany Avenue, Clearfield Street, Twenty-ninth Street and Thirtieth Street which bound on the said last above described lot. (Being part of said tract of land described at the head of this Brief.)

In trust nevertheless to for and upon the several trust uses and purposes and with the same powers and authorities and subject to the same limitations conditions and agreements as are mentioned expressed and declared in and by the said Indenture or Deed of Marriage Settlement of the seventh day of June A. D. 1859, executed by Hetty F. Wharton and Benjamin R. Smith of and concerning the part purpart and interest of the said Hetty F. Wharton of in and to the said real and personal estate thereby conveyed said several tracts above described with the moiety of the lanes streets and avenues bounding thereon making together as one tract the whole of the premises in question described at the head of this Brief; Which upon the re-survey above referred to was found to contain 24 acres and twenty-eight hundredths of an acre.

Duly executed and acknowledged March 11th, 1861. Recorded March 18th, 1861, in Deed Book A. C. H. No. 8 page 218 &c.

RELEASE from James McGinley executor of Margaret McGinley for a legacy of $600.- bequeathed to her by the Will of William Wharton deceased dated and acknowledged March 13th, 1861, was Recorded in Deed Book A. C. H. No. 17 page 5 &c. April 12th, 1861.

1859 February 4 Produced

DEED.- Charles William Wharton and Mary L. his wife to William Wharton Jr. his heirs executors administrators and assigns for all his the said Charles William Wharton's part purpart share and dividend of in and to all and singular the messuages lands tenements hereditaments ground rents and real and personal estate of which William Wharton the father of the said Charles William Wharton and William Wharton Jr. parties hereto died seised situate lying and being in the City of Philadelphia and to which he the said Charles William Wharton now is or at any time hereafter shall be entitled under and by virtue of the last Will and Testament and Codicil thereto of the said William Wharton deceased.

Duly executed and acknowledged February 4th, 1859. Recorded February 25th, 1859, in Deed Book A. D. B. No. 47 page 455 &c.

1859 February 4 Produced

DECLARATION OF TRUST by William Wharton Jr. reciting the last above recited setting forth and declaring that the grant made to him in the last recited deed is upon trust in the first place to take and accept a grant and conveyance of such estate real and personal as may be allotted and assigned as the share and interest of the said Charles William Wharton

in the partition and division of the estate of the said William Wharton deceased about being made at the valuation which in such partition might be placed thereon and to hold the same until such time as in the judgment of the said William Wharton Jr. and Abraham Barker (of the firm of Barker Bros. & Co., doing business as brokers in the City of Philadelphia) may be best to sell and dispose of the same, and then in trust to sell and dispose of the same at public or private sale or sales on such terms and conditions and to such person or persons as shall by himself the said William Wharton Jr. and the said Abraham Barker be thought best and out of the proceeds thereof to pay and reimburse himself the said William Wharton Jr. a certain debt or sum of $3000.- with interest thereon from February 18th, 1858, and the remaining proceeds of such sale or sales to pay to the said firm of Barker Bros. & Co., in full satisfaction and discharge of all debts then due and owing from the said Charles William Wharton to the said firm of Barker Bros. & Co. &c.

Duly executed and acknowledged March 11th, 1859, and Recorded same day in Deed Book A. D. B. No. 65 page 172 &c.

1861 June 10 Produced

DEED.- William Wharton Jr. trustee as aforesaid Charles William Wharton and Mary L. his wife to Abraham Barker in fee for the three lots or pieces of ground allotted and assigned to Charles William Wharton in fee in severalty fully described in the hereinbefore recited Deed of Partition. Together with a full moiety of the streets and avenues as above mentioned.

Duly executed and acknowledged same day and Recorded September 10th, 1861, in Deed Book A. C. H. No. 20 page 430 &c.

1873 July 18 — DEED.- Abraham Barker and Katharine his wife to Thomas J. Martin in fee for the same premises, together as aforesaid.

Produced — Duly executed and acknowledged same day. Recorded July 30th 1873 in Deed Book F. T. W. No. 73 page 27 &c.

PROCEEDINGS IN THE ORPHANS' COURT FOR THE COUNTY OF PHILADELPHIA

1873 June 21 — At an Orphans' Court aforesaid held this date Charles William Wharton as trustee for Hannah W. Haydock wife of Robert Haydock under the Will of Willam Wharton deceased: Also as trustee for Hetty F. W. Smith wife of Benjamin R. Smith under the same Will and also under a deed of marriage settlement dated June 7th 1859 and Recorded in Deed Book A. D. B. No. 72 page 381 &c. presented separate petitions in the above cases setting forth

Examined Record

I.- A description of the properties allotted to him as trustee for the said Hannah W. Haydock and Hetty F. W. Smith as will appear in the deed of partition above recited, in all five lots with the moieties of streets and avenues.

II.- That said lots of ground are unproductive and unimproved and require large annual outlays of money for taxes, and that it would be to the advantage of the said Hannah W. Haydock and Hetty F. W. Smith and their respective heirs that the same should be sold.

III.- That Thomas J. Martin had agreed to purchase the said lots allotted to said trustee for Hannah W. Haydock for $18,210.- and the said lots allotted to said trustee for Hetty

F. W. Smith for $13,657.50. That said sums were full fair and sufficient prices for the said lots of ground and more than they would produce at a public sale. Said petitioner therefore prayed that he might be authorized and empowered to grant and convey said five lots of ground to the said Thomas J. Martin his heirs and assigns on receipt of said sums of $18,210.- and $13,657.50, according to the Act of Assembly in such cases made and provided.

Which said petitions were together referred to Charles S. Baker Esq. as examiner who after being duly sworn to perform the duties of his appointment notified the parties interested of the time and place of meeting and proceeded on the twenty-seventh day of June 1873 to examine the witnesses produced and being satisfied from their testimony that the facts set forth in said petitions were true and that it was proper to grant the prayers thereof submitted forms of decrees to the said Court in accordance therewith.

1873 June 28 — At an Orphans' Court aforesaid held this date the following decrees were made.

The reports of the examiner being filed the Court upon consideration thereof do authorize and empower Charles William Wharton trustee to sell and convey the real estate described in the petitions filed to Thomas J. Martin his heirs and assigns for the prices or sums of $18,210.- and $13,657.50 and that he enter security in the sums of $36,420.- and $27,315.- for the proper application of the purchase money; which security has been duly entered.

Docket No. 63 page 372.

1873 July 18 Produced

DEED.- Charles William Wharton trustee for Hannah W. Haydock wife of Robert Haydock and Robert Haydock and Hannah W. his wife to Thomas J. Martin in fee for said two tracts of land described in the above recited deed of partition with the moiety of streets as therein set forth. (Said Robert Haydock and Hannah W. his wife joining to testify their assent and approval and for the purpose of releasing any and all interest which might be in them vested.)

Duly executed and acknowledged same day and Recorded July 30th 1873 in Deed Book F. T. W. No. 73 page 121 &c.

1873 July 18 Produced

DEED.- Charles William Wharton trustee for Hetty F. W. Smith wife of Benjamin R. Smith as hereinabove recited the said Benjamin R. Smith and Hetty F. W. his wife to Thomas J. Martin in fee for said three tracts of land with the moieties of streets and avenues described in the above recited deed of partition. (Said Benjamin R. Smith and wife joining to show their approval and for the purpose of releasing any and all interest which might be in them vested and the said trustee acting by virtue of all powers in him vested and in that behalf enabling.)

Duly executed and acknowledged same day and Recorded July 30th 1873 in Deed Book F. T. W. No. 73 page 126 &c.

1863 July 1 — Examined Record

LAST WILL AND TESTAMENT of Anna Wharton whereby after making certain bequests and devises she did nominate and appoint her brothers Charles and Joseph Wharton executors of her Will with full power to sell any part or all of her real estate for such prices as they should deem proper. If however any such sale should be made during the life of her mother her consent and approbation should be first had and obtained and the purchaser should take a good and sufficient title free and discharged without any obligation to see to the application of the purchase money.

Duly proven November 30th, 1863, and Registered at Philadelphia in Will Book No. 51 page 364 &c.

1873 August 25 — Produced

DEED.- Charles William Wharton and Joseph Wharton executors appointed as aforesaid of the Will of Anna Wharton deceased and Deborah F. Wharton mother of said Anna Wharton to Thomas J. Martin in fee for said three lots or pieces of ground with the moieties of the streets and avenues fully described in the above recited Deed of Partition as allotted to said Charles William Wharton as trustee for said Anna Wharton (said Deborah F. Wharton joining to testify her consent and approbation).

Duly executed and acknowledged same day and Recorded September 9to, 1873 in Deed Book F. T. W. No. 71 page 344 &c.

Said tract of 24 acres and twenty eight hundredths of an acre described at the head of this Brief thus became vested

in the said Thomas J. Martin his heirs and assigns by said four last above recited Deeds dated respectively July 18th, 1873, and August 25th 1873.

From the Records and Papers produced

MORTON & ELSASSER

Searches

Certify any unsatisfied Mortgages on record of a piece of land situate on the Lamb Tavern Road and Nicetown Lane in the late Twenty-first now Twenty-eighth Ward of the City of Philadelphia Containing 23 acres more of less and composed of pieces of 13 acres 80 perches and 12 acres Ascertained by a recent survey to contain $24\frac{28}{100}$ acres and is intersected by Alleghany Avenue Clearfield Street Thirty-second Thirty-first Thirtieth Twenty-ninth and Twenty-eighth Streets or of any part of the same from

1 William Hunt from January 1, 1800, to June 1, 1810.
2 Richard Hunt, Jr.
from January 1, 1800, to July 1, 1808.
3 Ann Hunt from January 1, 1800, to July 1, 1808.
4 James Hunt from January 1, 1800, to July 1, 1811.
5 Glover Hunt from January 1, 1800, to May 1, 1810.
6 John Renshaw from January 1, 1800, to Aug. 1, 1809.
7 Robert Kennedy
from February 1, 1808, to May 1, 1810.
8 Joseph Sims from April 1, 1810, to February 1, 1851.
9 William Wharton
from January 1, 1851, to February 1, 1856.
10 Anna Wharton
from January 1, 1856, to December 1, 1863.
11 William Wharton, Jr. Trustee
from February 1, 1859, to October 1, 1861.
12 Hetty F. Wharton
from January 1, 1856, to January 1, 1860.

13	Robert Haydock	from January 1, 1856, to date of certificate.
14	Hannah W. Haydock	
15	Benjamin R. Smith	
16	Hetty F. W. Smith	
17	Abraham Barker	since June 1, 1861.
18	Charles W. Wharton (*or as Executor or Trustee*)	since January 1, 1856.
19	Joseph Wharton *Executor*	since July 1, 1863.

MORTON & ELSASSER

On searching the Index of Mortgages for the City and County of Philadelphia I find no unsatisfied Mortgages of the above described premises or any part thereof given by either of the nineteen (19) persons above named within the periods specified.

Witness my hand and seal of office this twenty-third day of July A. D. 1873.

EDW. R. BILES
pro Recorder

[SEAL]

None to September 5th, 1873.

Edw. R. Biles
pro Recorder

Certify any Taxes registered against a piece of land situate on the Lamb Tavern Road and Nicetown Lane in the late Twenty-first now Twenty-eighth Ward of the City of Philadelphia, Containing 23 or 24 acres. It is intersected by Alleghany Avenue Clearfield Street Thirty-first Street Thirtieth Street Twenty-ninth Street and Twenty-eighth Streets; in the names of

JOSEPH SIMS
WILLIAM WHARTON
CHARLES WILLIAM WHARTON

ABRAHAM BARKER

or any other name.

MORTON & ELSASSER

On examining the Register of Unpaid Taxes I find nothing against the above described premises for the years 1868 to 1872 inclusive.

J. NUTTALL
Reg. Clerk

On examination of the Judgment Index of the District Court for the City and County of Philadelphia from July 23rd A. D. one thousand eight hundred and sixty-eight (1868) to the 24th day of July one thousand eight hundred and seventy-three (1873) I find no unsatisfied Judgments entered therein within that period against

JOSEPH WHARTON *Executor*
CHARLES W. WHARTON *Executor and Trustee*
ABRAHAM BARKER
HANNAH W. HAYDOCK
HETTY F. W. SMITH

Chas. Oct 22 '69

Certified by CHAS. P. LYLE
pro Prothonotary

[SEAL]

None to September 1st, 1873.

CHAS. P. LYLE
pro Proth'y.

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia from July 23rd A. D. one thousand eight hundred and sixty-eight (1868) to the twenty-fourth day of July one thousand eight hundred and seventy-three (1873) I find no unsatisfied Judg-

ments entered therein within that period against

JOSEPH WHARTON
CHARLES W. WHARTON
ABRAHAM BARKER
HANNAH W. HAYDOCK
HETTY F. W. SMITH

Certified by S. COULTER, JR.
pro Prothonotary

[SEAL]

None to September 1st, 1873.

S. C. JR.

I James Ross Snowden Prothonotary do certify that on examining the Judgment Index of the Supreme Court of Pennsylvania for the Eastern District for five years prior to the twenty-fourth day of July one thousand eight hundred and seventy-three I find no unsatisfied judgment entered within that period against

JOSEPH WHARTON (*Executor*)
CHARLES W. WHARTON (*Executor and Trustee*)
ABRAHAM BARKER
HANNAH W. HAYDOCK
HETTY F. W. SMITH

CHAS. P. ROSS
pro Prothonotary

[SEAL]

None to 1st September 1873.

J. L. B.
pro Proth'y

COURT OF QUARTER SESSIONS OF THE PEACE
FOR THE CITY AND COUNTY OF PHILADELPHIA.

I certify that I have examined the records of the aforesaid Court for five years past and do not find any unsatisfied judg-

ments against

JOSEPH WHARTON (*Executor*)
CHARLES W. WHARTON (*Executor and Trustee*)
ABRAHAM BARKER
HANNAH W. HAYDOCK
or HETTY F. W. SMITH

FRANK P. GOODWIN
pro Clerk.

[SEAL]

July 24th, 1873.

None to September 1'73.
F. P. G.

UNITED STATES
EASTERN DISTRICT OF PENNSYLVANIA } *sct.*

I Samuel Bell Clerk of the Circuit Court of the United States in and for the Eastern District of Pennsylvania do hereby certify that there are no unsatisfied Judgments remaining on record in my office obtained within the last five years against

JOSEPH WHARTON (*Executor*)
CHARLES W. WHARTON (*Executor and Trustee*)
ABRAHAM BARKER
HANNAH W. HAYDOCK *or*
HETTY F. W. SMITH

Philadelphia, this 24th day of July A. D. 1873.

JOHN B. BEAVER
pro Clerk

[SEAL]

None to Sept. 1st, 1873.
J. B. BEAVER
pro Clerk

UNITED STATES

EASTERN DISTRICT OF PENNSYLVANIA } *ss.*

I, Gilbert R. Fox, Clerk of the District Court of the United States for the Eastern District of Pennsylvania certify that there are no unsatisfied Judgments remaining on record in my office obtained within the last five years against

JOSEPH WHARTON *Executor*
CHARLES W. WHARTON *Executor and Trustee*
ABRAHAM BARKER
HANNAH W. HAYDOCK *or*
HETTY F. W. SMITH

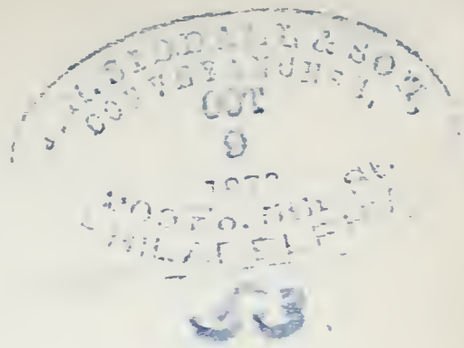
[SEAL]

Philadelphia, this 24th day of July A. D. 1873.

JOHN B. BEAVER
pro Clerk District Court

None to September 1st, 1873.

J. B. BEAVER
pro Clerk



Brief of Title

TO

All that lot or piece of land comprising the whole of lot No. 5 and the Southernmost and greater part of lot No. 6 on the plan of partition of the estate of Martha Renshaw deceased situate on the Easterly side of the road leading from the Ridge Road to Nicetown in the Township of the Northern Liberties in the County of Philadelphia; Beginning at a stake at the intersection of the said road leading to Nicetown and another road thence by the Nicetown Road North 58 degrees 20 minutes East 91 perches to a stake a corner of lot marked in the said plan No. 4 thence partly by the said lot No. 4 and partly by the remaining part of the said lot No. 6 sold to John C. Gardy South 31 degrees 40 minutes East 60 perches more or less to ground formerly of Charles Wharton now of William Wharton thence by the said land of William Wharton South 57 degrees 15 minutes West 36 perches and nine tenths of a perch more or less to a stake thence partly by the land of William Wharton and partly by the aforesaid road North 73 degrees 15 minutes West 81 perches and five tenths of a perch (sometimes erroneously called 130 perches and seven tenths of a perch) to the place of beginning. Containing 24 acres and twenty-eight hundredths of an acre of land more or less.

1718 July 10 — PATENT.- William Penn Proprietor &c. to Thomas Shute in fee for 120 acres of land in the Township of the Northern Liberties in the County of Philadelphia.

Examined Record — Enrolled in Patent Book A. vol. 5 page 354 &c. and in Exemplification Record at Philadelphia No. 2 page 209.

1739 June 10 — DEED.- Thomas Shute and Elizabeth his wife to their son William Shute and Elizabeth his wife and their children Rebecca, Martha and Elizabeth Shute for the said tract of 120 acres and the messuage thereon. To hold to them the said William Shute and Elizabeth his wife for and during all their natural lives and the life of the survivor of them and after their decease to the only proper use and behoof of the said Rebecca Shute, Martha Shute and Elizabeth Shute and their heirs and assigns forever.

Examined Record — Acknowledged by Thomas Shute 25th November, 1748. Recorded in Deed Book H. vol. 1 page 280 &c.

Recited — The said William Shute and Elizabeth his wife departed this life. And their daughter the said Elizabeth Shute also departed this life; whereby the said premises became vested in her sisters the said Rebecca Shute and Martha Shute as heirs at law, agreeably to the said last recited deed.

Recited } The said Rebecca Shute intermarried with a certain Thomas Hood, and afterwards departed this life in the lifetime of her sister Martha, whereupon the said Martha and her heirs became seized of the whole of the said messuage and plantation in right of survivorship.

Recited } The said Martha Shute married John Renshaw, whom she survived, and then likewise departed this life intestate leaving issue six children, namely, William, Thomas, James and John Renshaw and Rebecca Williams and Isabella Randall, and eleven grandchildren, namely, John Livingston the only son and issue of her daughter Elizabeth Livingston deceased Richard Hunt and Ann Hunt, William Hunt, Glover Hunt and James Hunt the children and issue of her daughter Mary Hunt deceased and Martha Hunter, Elizabeth Wilson, Sarah Snyder, Ellen Price and White Matlock * the children and issue of her daughter Sarah Matlock deceased, to whom the said messuage plantation land and premises descended as heirs at law.

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* The name of White Matlock does not appear on the Docket in the following proceedings, nor in any of the original papers except that it is interlined in one place in the petition. He, however, unites with his sisters in a deed for lot No. 7, which deed recites the proceedings.

1806
Sept. 19

Examined
Record

Docket
1803 to 1806
pages
124 - 150

At an Orphans' Court held at Philadelphia for the City and County of Philadelphia held this day.

The petition of William, Thomas, James and John Renshaw Rebecca Williams William Hunter Chandler Price George Snyder Robert Wilson and John Livingston was presented.

Setting forth that Martha Renshaw late of the Township of the Northern Liberties had lately died intestate seised in fee of a messuage tenement and tract of land situate in the said Township, Containing 120 acres more or less, and leaving issue William, Thomas, James and John Renshaw Rebecca Williams (then a widow) and Isabella then married to Thomas Randall, and the following grandchildren viz: Martha then married to William Hunter, Elizabeth then married to Robert Wilson, Sarah then married to George Snyder, and Eleanor then married to Chandler Price, which Martha, Elizabeth, Sarah and Eleanor were the children of Sarah the wife of Titus Matlack and daughter of the intestate, John Livingstone only child of Elizabeth the wife of James Livingstone and daughter of the intestate, and William, Richard, Ann, Glover and James Hunt the children of Mary the wife of Richard Hunt and daughter of the intestate, which Sarah and Titus Matlack, Elizabeth and James Livingston and Mary Hunt all died in the life time of the said intestate, and which Glover and James Hunt were minors under the age of 21 years. And praying an inquest to make partition of the said tract of land according to the several Acts of Assembly.

Whereupon the Court awarded an inquest accordingly.

Docket No. 22 page 124 &c.

1806 December — Return of sheriff and inquest whereby there was allotted to William, Richard, Ann, Glover and James Hunt the children of Mary and Richard Hunt the lot No. 5 on the plan, Containing 13 acres 80 perches and to John Renshaw the lot No. 6 on the plan, Containing 12 acres.

Whereupon the said return was confirmed and partition decreed in accordance therewith.

Docket No. 22 page 150 &c.

1808 February 13 Produced — DEED.- Richard Hunt junior and Edith his wife and Ann Hunt in consideration of $400.- to Robert Kennedy his heirs and assigns for all their two full equal undivided fifth parts and all other their estate right title interest property &c. of in and to all that lot or piece of land marked No. 5 as aforesaid situate lying and being on the Easterly side of the public road leading from the Ridge Road to Nicetown in the Township of the Northern Liberties and County of Philadelphia, Beginning at a stake at the intersection of the said public road leading from Nicetown and another road thence extending along the Easterly side of the said Nicetown Road North 58 degrees East 62 perches and five-tenths of a perch to a stake corner of the lot marked in the plan of partition above mentioned No. 6 allotted to John Renshaw thence by said lot No. 6 South 31 degrees 40 minutes East 60 perches and eight-tenths of a perch to a stake in the line of Mount Justice's land thence by said Justice's line South 57 degrees 15 minutes West 8 perches and four-tenths of a perch to a stake thence partly by Charles Wharton's land and partly by the said other road North 73

degrees 15 minutes West 130 perches and seven-tenths of a perch (should be 81 perches and five-tenths of a perch. Vide plan in return of partition) to the place of beginning; Containing 13 acres 80 perches. Subject to the payment of an annuity of $8.- unto Richard Hunt senior the father of the said Richard and Ann Hunt on the thirteenth of February in every year during his natural life and no longer but free and clear of and from all mortgages debts judgments and other liens and incumbrances whatsoever. And a covenant on the part of the said Robert Kennedy to pay the said annuity and a covenant by Richard Hunt junior Ann Hunt and Richard Hunt the father for themselves and their heirs &c. the premises granted subject to the said annuity against them and their heirs respectively and against all persons claiming under the said William Shute deceased or either of his children the said Rebecca Martha and Elizabeth or the said Mary Hunt deceased to warrant and forever defend.

Executed by Richard Hunt and wife Ann Hunt and Richard Hunt the father and acknowledged by all except Richard the father 13th February 1808 Recorded 6th June 1808 in Deed Book E. F. No. 31 page 89 &c.

The said Richard Hunt the father hath since departed this life.

Not dated

Certified copy Produced

LETTER OF ATTORNEY.- William Hunt to Richard Hunt junior whereby the said William Hunt did authorize constitute and appoint the said Richard Hunt junior to bargain and sell all his part share estate and interest of and in all that lot or piece of land marked in the plan of partition of the real estate of his deceased grand-mother Martha Renshaw No. 5 containing 13 acres and 80 perches with the appurtenances either at

public or private sale and by good and sufficient deeds and conveyances in law to grant and convey the same to the purchaser or purchasers thereof his her or their heirs and assigns forever and for that purpose to sign his name seal with his seal and as his act and deed to acknowledge and deliver all such deeds and conveyances in the law as should be needful and necessary for the granting and assuring the fee simple and inheritance of and in the premises to the purchaser or purchasers thereof.

Acknowledged 20th July 1808 and Recorded November 11th 1808 in Letter of Attorney Book E. F. No. 3 page 506 &c.

1808 September 19 Produced

DEED.- William Hunt (one of the sons and children of Mary Hunt deceased and also one of the grandchildren of Martha Renshaw above named) by his attorney Richard Hunt Jr. to Robert Kennedy in fee for the one full equal undivided fifth part and all other part estate right title and interest of the said William Hunt of and in the said lot or piece of land marked No. 5 on the plan of partition aforesaid; Containing 13 acres 80 perches. Subject to an annuity of $4.- to Richard Hunt the father for life.

Acknowledged same day and Recorded May 2nd, 1810 in Deed Book I. C. No. 6 page 563.

1810 January 1 Produced

DEED.- Glover Hunt in consideration of $200.- to Robert Kennedy in fee for the one full equal undivided fifth part of him the said Glover Hunt of and in the said lot or piece of land marked No. 5; Containing 13 acres 80 perches. To hold to him the said Rob-

ert Kennedy his heirs and assigns forever free and clear of and from all mortgages annuities judgments liens and incumbrances whatsoever.

Duly executed and acknowledged 5th January, 1810. Recorded 18th April, 1810, in Deed Book I. C. No. 9 page 445 &c.

1810 April 17 Produced

DEED.- Robert Kennedy and wife in consideration of $1080.- to Joseph Sims in fee for all those his the said Robert Kennedy's four full equal and undivided fifth parts of and in the said lot or piece of land, Containing 13 acres and 80 perches.

This deed recites inter alia the said deed from Richard Hunt and wife and Ann Hunt of February 13th, 1808, for two fifths, the said deed from William Hunt of 19th September, 1808, for one fifth, and the said deed from Glover Hunt 1st January, 1810, for one fifth.

Acknowledged same day. Recorded 18th April, 1810, in Deed Book I. C. No. 9 page 447 &c.

1811 June 8 Produced

DEED.- James Hunt one of the grandchildren of Martha Renshaw widow deceased in consideration of $288.83 to the said Joseph Sims in fee for his the said James Hunt's one fifth part of and in the said lot or piece of land; Containing 13 acres and 80 perches. To hold to him the said Joseph Sims his heirs and assigns forever free and clear of and from all mortgages annuities debts judgments liens and incumbrances whatsoever.

Acknowledged 8th June, 1811. Recorded June 8th, 1811, in Deed Book I. C. No. 15 page 181 &c.

1809 June 20 Produced

DEED.- John Renshaw in consideration of $1350.- to Joseph Sims in fee for all that tract lot or piece of land marked in the plan of partition of the estate of the said Martha Renshaw deceased No. 6, Situate in the Northern Liberties aforesaid, Beginning at a stake in the side of the road leading to Nicetown thence by the said road North 58 degrees 20 minutes East 28 perches and five tenths of a perch to stake corner of lot marked in the aforesaid plan No. 4 thence by the said lot No. 4 South 31 degrees 40 minutes East 9 perches and two tenths of a perch to a corner of lot marked in the aforesaid plan No. 7 thence by said lot No. 7 South 31 degrees 40 minutes East 21 perches to land of John C. Wells thence by said land of John C. Wells South 57 degrees 15 minutes West 37 perches and seven tenths of a perch to a stake corner of lot marked on said plan No. 5 thence by said lot No. 5 North 31 degrees 40 minutes West 60 perches and eight tenths of a perch to the place of beginning; Containing 12 acres.

Acknowledged 3rd July, 1809. Recorded 5th July, 1809, in Deed Book I. C. No. 2 page 200.

1851 January 16 Examined Record

DEED.- Joseph Sims to William Wharton in fee for the premises described at the head of this Brief, said to contain 23 acres of land but on a re-survey thereof found to contain 24 acres and twenty-eight hundredths of an acre.

Duly executed. Acknowledged

same day. Recorded 21st January, 1851, in Deed Book G. W. C. No. 74 page 439 &c.

The said William Wharton being so as aforesaid seised in his demesne as of fee of and in said tract of land described at the head of this Brief departed this life having first made and published his last Will and Testament in writing as follows.

1850 February 11 — WILL of William Wharton wherein and whereby after making provision for his wife Deborah F. Wharton intended to be in lieu and bar of dower and a bequest of $600.- to Margaret McGinley to be paid to her in one year he did give devise and bequeath all the residue of his real estate wherever situate and all the rest residue and remainder of his personal estate and property of every kind whatsoever to his two sons Rodman Wharton and Charles William Wharton and to the survivor of them and the heirs executors administrators and assigns of such survivor upon the following trusts viz: inter alia "I hereby direct and em- "power the said trustees after payment of all just debts and "claims against my estate to appoint three judicious and dis- "creet persons to make partitions of my real and personal "estate among all my children and the descendants of such "of my children that may be dead so that an equal share in "value be allotted to each child."

"As respects the share of each and every of my sons of the "real and personal estate, I direct that the said trustees and "the survivor of them do convey and assign such share to "each son and his descendants if he be dead in severalty in "fee simple absolutely."

"As respects the share of real and personal estate of each "and every of my daughters, I direct that the said trustees "and the survivor of them shall continue to hold the same

"for each daughter in severalty or shall convey the same to "some other trustee to be approved of by such daughter and "in either case however in trust to pay the rents interest and "income thereof to such daughter and in case of her mar- "riage to her sole and separate use free from the control "debts or engagements of her husband during the term of "her natural life and after her death in trust to convey to her "right heirs in fee simple." He did further will that in the event of the death of any of his children under 21 years of age and without issue their share to go to the survivor the share going to the daughters to be held in trust as aforesaid. And he did also direct that certain large sums of money advanced to his sons and household furniture given to his daughters and certain other advances therein provided for to be made in money or real estate to be set apart for that purpose to his sons and daughters as is therein named, the daughters' shares to be held in like trust and with like powers by the same trustees, should be taken into consideration in making said partition, such advances to be reckoned as so much towards the share of each of them without interest being reckoned thereon in the partition of said residuary estate, so that in such division all inequalities may be so equalized that the total amount received by any one of his children may be equal in value to that received by each one of the others.

1855 July 14 — CODICIL wherein after stating that his son Rodman Wharton had departed this life he did further declare that it was his intention and will that each of his sons should be at liberty to make wills to dispose of their property devised from him by will "as also my daughters."

Will and Codicil duly proven January 22nd, 1856, and Registered in Book of Wills No. 35, page 46 &c.

Recited in the following Deed of Partition

William Wharton the testator above named left to survive him his widow the said Deborah F. Wharton and issue eight children namely Hannah W. Haydock (wife of Robert Haydock) Sarah W. Barker (wife of Abraham Barker) Mary W. Thurston (wife of Joseph D. Thurston) Anna Wharton, Hetty F. Wharton, Charles William Wharton, Joseph Wharton and William Wharton Jr. and two grand-children W. Rodman and Susan P. Wharton children of the testators deceased son Rodman Wharton who departed this life in the lifetime of the said testator leaving his brother and co-trustee Charles William Wharton him surviving and also leaving to survive him his widow Susan D. Wharton and two children viz: the said W. Rodman Wharton and Susan P. Wharton. The said Mary W. Thurston has since departed this life having first made and published her last will and testament as follows: —

1856 October 24

WILL of Mary W. Thurston wherein and whereby after certain pecuniary bequests she did in pursuance of the power and authority to her given in that behalf by the Will of William Wharton deceased and the Codicil thereto give devise and bequeath all the rest residue reversion and remainder of her estate real personal and mixed whatsoever and wheresoever whether derived from the estate of her father or otherwise howsoever she did give devise and bequeath unto her husband Joseph D. Thurston in trust for her children.

Duly proven November 12th, 1856, and Registered at Philadelphia in Will Book No. 37 page 45 &c.

1859
June 7

DEED OF MARRIAGE SETTLEMENT between Hetty F. Wharton of the first part Benjamin R. Smith of the second part to Charles William Wharton of the third part his heirs executors administrators and assigns for all her share of the residuary real estate devised and bequeathed by William Wharton deceased to his two sons Rodman Wharton (since deceased) and Charles William Wharton in trust for the said testator's children; To hold the same in trust for the uses and purposes therein fully set forth. With full power at any time during the continuance of said trust with the consent in writing of the said Hetty F. Wharton during her life to grant bargain and sell and absolutely dispose of at public or private sale to any purchaser or purchasers thereof in fee simple, and on receipt of purchase money or securities for such sales to execute releases and conveyances as might be necessary in the law to carry the same into effect. Also to consent to any partition or exchange of said trust property without liability on the part of the purchasers to see to the application of the purchase money.

Duly executed and acknowledged by all the parties June 7th, 1859. Also on motion of Henry Wharton Esq. made on the 18th day of June 1859, entered on the records of the Court of Common Pleas for the purpose of granting unto the grantee his heirs and assigns in absolute fee simple the premises therein mentioned in conformity to the Act of Assembly to facilitate the barring of entails in manner and form common to Sheriff's Deeds, in Sheriff's Deed Book T. page 327 and Recorded June 30th, 1859, in Deed Book A. D. B. No. 72 page 381 &c.

1856 May 5 — DEED POLL.- Deborah F. Wharton, widow, to Charles William Wharton surviving trustee aforesaid his heirs executors administrators and assigns remising releasing quit claiming and confirming to for and upon the trusts and purposes and subject to the same powers and authorities nevertheless whereon whereupon and subject to which the said residue of the real estate of the said testator was then vested in the said Charles William Wharton under the said will as is hereinbefore mentioned, all the dower thirds and right of dower and thirds at the common law and all and every the estate interest claim and demand of in to or out of, inter alia, all the lands tenements and hereditaments late of or belonging to the said testator situate lying and being in the City of Philadelphia or elsewhere; and in lieu and bar and in full satisfaction and discharge thereof she the said Deborah F. Wharton as of the date of the death of the said testator thereby elected to accept and did accept the devise and bequest by the said testator in and by the said Will so as aforesaid made to her according to the tenor and effect thereof.

Duly executed and acknowledged same day. Recorded at Philadelphia same day in Deed Book R. D. W. No. 73 page 237 &c.

1860 January 2 — DEED POLL under the hand and seal of Charles William Wharton in pursuance of the direction and power contained in the said Will of William Wharton deceased above recited and on him devolved whereby he appointed Thomas B. Longstreth Edward Hopper and John M. Ogden to make partition of the real and personal estate of the said William Wharton deceased among all his children and the descendants of such of his children as were dead according to

the true intent and meaning and in all respects agreeably to the provisions of said recited Will of William Wharton deceased as though the same were therein at large set forth.

Duly executed and acknowledged November 13th 1860. Recorded March 28th 1861 in Deed Book A. C. H. No. 11 page 326 &c.

Recited in Deed of Partition

Hannah W. Haydock Sarah W. Barker and Anna Wharton have respectively approved of the said Charles William Wharton to be trustee for them respectively to hold the share of the said real estate which should fall to them respectively upon the partition and division of the real estate of the said William Wharton deceased as therein mentioned which approval is testified by their joining in and executing said deed of partition.

Recited in Deed of Partition

The said Thomas B. Longstreth, Edward Hopper and John M. Ogden performed the duties of their said appointment and divided and allotted the real and personal estate in manner as set forth in said Deed of Partition; And in making such partition of the real and personal estate of the said testator computed and reckoned the advances so as aforesaid made by the testator in his lifetime and since his decease by the said Charles William Wharton surviving trustee as aforesaid in pursuance of the provisions of the said recited Will as so much towards the respective shares allotted to or in trust for the respective children and the grand children of the said testator, so that in such division all inequalities were so equalized that the total amount received by or in trust for any one of the said children and the said grand-children (representing one share)

were made equal in value to that received by or in trust for each one of the others.

And in particular the advances made by said testator in his lifetime to the said Rodman Wharton and the said Joseph Wharton respectively being so computed and reckoned as aforesaid were found by the said Thomas B. Longstreth Edward Hopper and John M. Ogden to be not less in amount and value than the shares which the said Joseph Wharton and the children of the said Rodman Wharton would respectively be entitled to receive if such advances were brought into hotchpot and reckoned as part of the said residuary real and personal estate of the testator upon the partition and division thereof as aforesaid.

1861 March 11 Produced

DEED OF PARTITION under the hands and seals of said Thomas B. Longstreth Edward Hopper and John M. Ogden (also executed by Hannah W. Haydock Sarah W. Barker and Anna Wharton for the purpose of testifying their approval of Charles William Wharton as trustee for them under the Will of William Wharton deceased and also executed by Charles W. Wharton) wherein and whereby the said three persons above named appointed as hereinbefore recited did in pursuance of all powers in them vested by the Will of William Wharton deceased under and by virtue of their appointment by the said Deed Poll dated January 2nd, 1860, allot and assign unto the said Charles William Wharton his heirs executors administrators and assigns inter alia, all that certain lot or piece of ground situate at the Southeast corner of Alleghany Avenue and Twenty-ninth Street in the late Twenty-first Ward now Twenty-eighth Ward of the said City of Philadelphia, Beginning at the said corner and thence Eastwardly along the Southerly line of the said Alleghany Avenue 400

feet to the Westerly line of Twenty-eighth Street thence Southwardly along the West line of Twenty-eighth Street 414 feet 3 inches and seven eighths of an inch to a point thence Southwestwardly 122 feet 7 inches and three eighths of an inch to the North line of Clearfield Street thence Westwardly along the said Clearfield Street 312 feet 3 inches and three eighths of an inch to the Easterly line of the said Twenty-ninth Street and thence Northwardly along the said Twenty-ninth Street 500 feet to the first mentioned point and place of beginning. Bounded Northward by the said Alleghany Avenue Southeasterly by ground of * * * Westward by Twenty-ninth Street Eastward by Twenty-eighth Street and Southward by Clearfield Street. Together with the one full equal moiety of the said Alleghany Avenue, Clearfield Street, Twenty-eighth Street and Twenty-ninth Street which bound on the last above described lot. Also all that certain triangular lot or piece of ground situate in the said Twenty-eighth Ward aforesaid, Beginning at the Northeast corner of the said Alleghany Avenue and Twenty-ninth Street thence Northwardly along the said Twenty-ninth Street 368 feet 8 inches and one half to a point thence South 32 degrees East 507 feet 1 inch and a quarter to the North line of Alleghany Avenue thence Westwardly along the said Alleghany Avenue 348 feet 1 inch and seven eighths of an inch to the place of beginning. Bounded Northeastwardly by ground of * * * * * Southward by Alleghany Avenue and Westward by Twenty-ninth Street. Together with the one full equal moiety of the said Alleghany Avenue and Twenty-ninth Street which bound on the said last above described lot. (Being part of the said tract described at the head of this Brief said to contain 23 acres, but which upon a resurvey of the said tract made by Henry Haines for the purpose of a partition thereof shows a content of 24 acres and twenty-eight hundredths of an acre.)

In trust for the said Hannah W. Haydock and her heirs

in such manner and with and subject to the same powers and authorities as is and are mentioned expressed created and declared in and by the said Will and Codicil thereto of William Wharton hereinbefore particularly recited.

And they did allot and assign unto the said Charles William Wharton his heirs and assigns, all that certain triangular lot or piece of ground situate in the late Twenty-first Ward of the City of Philadelphia now in the Twenty-eighth Ward of the said City, Beginning at the point of intersection of the Lamb Tavern Road with the Nicetown lane thence extending along the said Nicetown Lane North 58 degrees 3 minutes East 219 feet 4 inches and a quarter of an inch to the West side of Thirty-first Street thence Southward along the West side Thirty-first Street 165 feet and one eighth of an inch to the said Lamb Tavern Road thence Westward along the said Lamb Tavern Road 160 feet 3 inches and one half of an inch to Nicetown Lane to the first mentioned point and place of beginning. Together with the one full equal moiety of the said Nicetown Lane, Lamb Tavern Road and Thirty-first Street which bound on the said last described lot. Also all that certain lot or piece of ground beginning at the Northwest corner of Alleghany Avenue and Twenty-ninth Street in the Twenty-eighth Ward aforesaid thence extending Westward along the said Alleghany Avenue 400 feet to the East line of Thirtieth Street thence Northward along the said Thirtieth-Street 24 feet 1 inch and five eighths of an inch to the Southeasterly line of Nicetown Lane thence along the said lane North 58 degrees 3 minutes East 549 feet 7 inches and five eighths of an inch to the said Twenty-ninth Street thence Southward along the West side of the said Twenty-ninth Street 401 feet 1 inch and one quarter of an inch to the place of beginning. Together with one full equal moiety of the said Alleghany Avenue, Nicetown Lane, Twenty-ninth Street and Thirtieth Street which bound on the said last described lot. And also all that certain lot

or piece of ground situate on the West side of the said Twenty-ninth Street at the distance of 87 feet Northward from the North side of Clearfield Street in the said Twenty-eighth Ward, Containing in front or breadth on the said Twenty-ninth Street 163 feet and extending in length or depth of that breadth Westward between parallel lines at right angles to the said Twenty-ninth Street 200 feet. Bounded Northward by ground allotted and assigned to the said Charles William Wharton trustee of Anna Wharton Southward and Westward by ground allotted and assigned unto the said Charles William Wharton trustee of Hetty F. W. Smith and Eastward by the said Twenty-ninth Street. Together with the one full equal moiety of the said Twenty-ninth Street which bounds on the said last described lot. (Also part of said tract described at the head of this Brief.) To hold to him the Charles William Wharton his heirs and assigns forever in severalty.

And did thereby allot and assign unto the said Charles William Wharton his heirs and assigns inter alia all that certain lot or piece of ground beginning at the Southwest corner of Twenty-ninth Street and Clearfield Street in the late Twenty-first Ward now Twenty-eighth Ward of the said City of Philadelphia thence extending Westwardly along the said Clearfield Street 400 feet to the East side of Thirtieth Street thence Southward along the said Thirtieth Street 2 feet and three eighths of an inch to ground of * * * thence Southeastward along the said ground 401 feet 5 inches to the West line of the said Twenty-ninth Street and thence Northward along the West side of the said Twenty-ninth Street 35 feet 8 inches to the first-mentioned corner and place of beginning. Together with one full equal moiety of the said Clearfield Street Twenty-ninth Street and Thirtieth Street which bound on the said last above described lot. Also all that certain lot or piece of ground beginning at the Northwest corner of Clearfield Street and Thirtieth Street in

the Twenty-eighth Ward aforesaid thence extending Westward along the North line of the said Clearfield Street 330 feet to the East line of Thirty-first Street thence Northward along the said Thirty-first Street 267 feet 2 inches and one eighth of an inch to the Southeasterly side of Nicetown Lane thence along the said lane North 58 degrees 3 minutes East 339 feet 5 inches and a quarter to the South side of the said Alleghany Avenue thence Eastward along the South side of the said Alleghany Avenue 102 feet 11 inches and three eighths of an inch to the West side of the said Thirtieth Street and thence Southward along the West side of the said Thirtieth Street 500 feet to the first mentioned corner and place of beginning. Together with one full equal moiety of the said Clearfield Street Lamb Tavern Road Nicetown Lane Alleghany Avenue Thirtieth and Thirty-first Streets which bound on the last above described lot. And also all that certain lot or piece of ground situate at the Southwest corner of Alleghany Avenue and Twenty-ninth Street in the Twenty-eighth Ward aforesaid. Containing in front or breadth on the said Alleghany Avenue 200 feet and extending in length or depth of that breadth Southward along the West side of the said Twenty-ninth Street 250 feet. Bounded Northward by the said Alleghany Avenue Southward by ground allotted to Charles William Wharton Eastward by the said Twenty-ninth Street and Westward by ground allotted to Charles William Wharton trustee of Hetty F. W. Smith. Together with one full equal moiety of the said Alleghany Avenue and Twenty-ninth Street which bound on the said last above described lot (also part of said tract described at the head of this brief).

In trust for Anna Wharton and her heirs in manner and form as set forth in the will of William Wharton deceased and the codicil thereto hereinbefore recited.

And did thereby allot and assign unto the said Charles William Wharton his heirs exectors administrators and

assigns inter alia all that certain lot or piece of ground beginning at the Southeast corner of Alleghany Avenue and Twenty-eighth Street in the late Twenty-first Ward of the City of Philadelphia now in the Twenty-eighth Ward of the said City thence extending Eastward along the South line of the said Alleghany Avenue 11 feet 5 inches and five eighths of an inch to a point thence South 32 degrees East 253 feet 6 inches to a point South 56 degrees 35 minutes West 259 feet 3 inches and three fourths of an inch to the East line of the said Twenty-eighth Street and thence Northward along the East line of Twenty-eighth Street 365 feet 6 inches to the first mentioned point and place of beginning. Together with one full equal moiety of the said Alleghany Avenue and Twenty-eighth Street which bound on the last above described lot. Also all that certain lot or piece of ground beginning at the Southeast corner of Twenty-ninth Street and Clearfield Street thence extending Southward along the East side of the said Twenty-ninth Street 41 feet 6 inches and five eighths of an inch to a point thence Eastwardly 201 feet 11 inches to a point thence North 56 degrees 35 minutes East 83 feet 8 inches and one fourth of an inch to the South line of Clearfield Street thence Westwardly along the South line of Clearfield Street 261 feet 1 inch to the first mentioned point and place of beginning. Together with one full equal moiety of the said Clearfield Street and Twenty-ninth Street which bound on the said last above described lot. And also all that certain lot or piece of ground beginning at the Northwest corner of Twenty-ninth Street and Clearfield Street thence extending Northward along the West line of Twenty-ninth Street 87 feet to ground allotted to the said Charles William Wharton thence Westward at right angles with the said Twenty-ninth Street along the said ground 200 feet to a point thence Northward along the said ground of the said Charles William Wharton and ground allotted unto Charles William Wharton trustee

of Ann Wharton parallel with the said Twenty-ninth Street 413 feet to the South line of Alleghany Avenue thence Westward along the South line of the said Alleghany Avenue 200 feet to the East line of Thirtieth Street thence Southward along the East line of Thirtieth Street 500 feet to the North line of the said Clearfield Street and thence Eastward along the said North line of Clearfield Street 400 feet to the first mentioned point and place of beginning. Together with the one full equal moiety of the said Alleghany Avenue, Clearfield Street, Twenty-ninth Street and Thirtieth Street which bound on the said last above described lot. (Being part of said tract of land described at the head of this Brief.)

In trust nevertheless to for and upon the several trust uses and purposes and with the same powers and authorities and subject to the same limitations conditions and agreements as are mentioned expressed and declared in and by the said Indenture or Deed of Marriage Settlement of the seventh day of June A. D. 1859, executed by Hetty F. Wharton and Benjamin R. Smith of and concerning the part purpart and interest of the said Hetty F. Wharton of in and to the said real and personal estate thereby conveyed said several tracts above described with the moiety of the lanes streets and avenues bounding thereon making together as one tract the whole of the premises in question described at the head of this Brief; Which upon the re-survey above referred to was found to contain 24 acres and twenty-eight hundredths of an acre.

Duly executed and acknowledged March 11th, 1861. Recorded March 18th, 1861, in Deed Book A. C. H. No. 8 page 218 &c.

RELEASE from James McGinley executor of Margaret McGinley for a legacy of $600.- bequeathed to her by the Will of William Wharton deceased dated and acknowledged March 13th, 1861, was Recorded in Deed Book A. C. H. No. 17 page 5 &c. April 12th, 1861.

1859 February 4 Produced

DEED.- Charles William Wharton and Mary L. his wife to William Wharton Jr. his heirs executors administrators and assigns for all his the said Charles William Wharton's part purpart share and dividend of in and to all and singular the messuages lands tenements hereditaments ground rents and real and personal estate of which William Wharton the father of the said Charles William Wharton and William Wharton Jr. parties hereto died seised situate lying and being in the City of Philadelphia and to which he the said Charles William Wharton now is or at any time hereafter shall be entitled under and by virtue of the last Will and Testament and Codicil thereto of the said William Wharton deceased.

Duly executed and acknowledged February 4th, 1859. Recorded February 25th, 1859, in Deed Book A. D. B. No. 47 page 455 &c.

1859 February 4 Produced

DECLARATION OF TRUST by William Wharton Jr. reciting the last above recited setting forth and declaring that the grant made to him in the last recited deed is upon trust in the first place to take and accept a grant and conveyance of such estate real and personal as may be allotted and assigned as the share and interest of the said Charles William Wharton

in the partition and division of the estate of the said William Wharton deceased about being made at the valuation which in such partition might be placed thereon and to hold the same until such time as in the judgment of the said William Wharton Jr. and Abraham Barker (of the firm of Barker Bros. & Co., doing business as brokers in the City of Philadelphia) may be best to sell and dispose of the same, and then in trust to sell and dispose of the same at public or private sale or sales on such terms and conditions and to such person or persons as shall by himself the said William Wharton Jr. and the said Abraham Barker be thought best and out of the proceeds thereof to pay and reimburse himself the said William Wharton Jr. a certain debt or sum of $3000.- with interest thereon from February 18th, 1858, and the remaining proceeds of such sale or sales to pay to the said firm of Barker Bros. & Co., in full satisfaction and discharge of all debts then due and owing from the said Charles William Wharton to the said firm of Barker Bros. & Co. &c.

Duly executed and acknowledged March 11th, 1859, and Recorded same day in Deed Book A. D. B. No. 65 page 172 &c.

1861 June 10 Produced

DEED.- William Wharton Jr. trustee as aforesaid Charles William Wharton and Mary L. his wife to Abraham Barker in fee for the three lots or pieces of ground allotted and assigned to Charles William Wharton in fee in severalty fully described in the hereinbefore recited Deed of Partition. Together with a full moiety of the streets and avenues as above mentioned.

Duly executed and acknowledged same day and Recorded September 10th, 1861, in Deed Book A. C. H. No. 20 page 430 &c.

1873
July 18

Produced

DEED.- Abraham Barker and Katharine his wife to Thomas J. Martin in fee for the same premises, together as aforesaid.

Duly executed and acknowledged same day. Recorded July 30th 1873 in Deed Book F. T. W. No. 73 page 27 &c.

PROCEEDINGS IN THE ORPHANS' COURT FOR THE COUNTY OF PHILADELPHIA

1873
June 21

Examined
Record

At an Orphans' Court aforesaid held this date Charles William Wharton as trustee for Hannah W. Haydock wife of Robert Haydock under the Will of Willam Wharton deceased: Also as trustee for Hetty F. W. Smith wife of Benjamin R. Smith under the same Will and also under a deed of marriage settlement dated June 7th 1859 and Recorded in Deed Book A. D. B. No. 72 page 381 &c. presented separate petitions in the above cases setting forth

I.- A description of the properties allotted to him as trustee for the said Hannah W. Haydock and Hetty F. W. Smith as will appear in the deed of partition above recited, in all five lots with the moieties of streets and avenues.

II.- That said lots of ground are unproductive and unimproved and require large annual outlays of money for taxes, and that it would be to the advantage of the said Hannah W. Haydock and Hetty F. W. Smith and their respective heirs that the same should be sold.

III.- That Thomas J. Martin had agreed to purchase the said lots allotted to said trustee for Hannah W. Haydock for $18,210.- and the said lots allotted to said trustee for Hetty

F. W. Smith for $13,657.50. That said sums were full fair and sufficient prices for the said lots of ground and more than they would produce at a public sale. Said petitioner therefore prayed that he might be authorized and empowered to grant and convey said five lots of ground to the said Thomas J. Martin his heirs and assigns on receipt of said sums of $18,210.- and $13,657.50, according to the Act of Assembly in such cases made and provided.

Which said petitions were together referred to Charles S. Baker Esq. as examiner who after being duly sworn to perform the duties of his appointment notified the parties interested of the time and place of meeting and proceeded on the twenty-seventh day of June 1873 to examine the witnesses produced and being satisfied from their testimony that the facts set forth in said petitions were true and that it was proper to grant the prayers thereof submitted forms of decrees to the said Court in accordance therewith.

1873 June 28 — At an Orphans' Court aforesaid held this date the following decrees were made.

The reports of the examiner being filed the Court upon consideration thereof do authorize and empower Charles William Wharton trustee to sell and convey the real estate described in the petitions filed to Thomas J. Martin his heirs and assigns for the prices or sums of $18,210.- and $13,657.50 and that he enter security in the sums of $36,420.- and $27,315.- for the proper application of the purchase money; which security has been duly entered.

Docket No. 63 page 372.

1873 July 18 Produced

DEED.- Charles William Wharton trustee for Hannah W. Haydock wife of Robert Haydock and Robert Haydock and Hannah W. his wife to Thomas J. Martin in fee for said two tracts of land described in the above recited deed of partition with the moiety of streets as therein set forth. (Said Robert Haydock and Hannah W. his wife joining to testify their assent and approval and for the purpose of releasing any and all interest which might be in them vested.)

Duly executed and acknowledged same day and Recorded July 30th 1873 in Deed Book F. T. W. No. 73 page 121 &c.

1873 July 18 Produced

DEED.- Charles William Wharton trustee for Hetty F. W. Smith wife of Benjamin R. Smith as hereinabove recited the said Benjamin R. Smith and Hetty F. W. his wife to Thomas J. Martin in fee for said three tracts of land with the moieties of streets and avenues described in the above recited deed of partition. (Said Benjamin R. Smith and wife joining to show their approval and for the purpose of releasing any and all interest which might be in them vested and the said trustee acting by virtue of all powers in him vested and in that behalf enabling.)

Duly executed and acknowledged same day and Recorded July 30th 1873 in Deed Book F. T. W. No. 73 page 126 &c.

1863 July 1 Examined Record

LAST WILL AND TESTAMENT of Anna Wharton whereby after making certain bequests and devises she did nominate and appoint her brothers Charles and Joseph Wharton executors of her Will with full power to sell any part or all of her real estate for such prices as they should deem proper. If however any such sale should be made during the life of her mother her consent and approbation should be first had and obtained and the purchaser should take a good and sufficient title free and discharged without any obligation to see to the application of the purchase money.

Duly proven November 30th, 1863, and Registered at Philadelphia in Will Book No. 51 page 364 &c.

1873 August 25 Produced

DEED.- Charles William Wharton and Joseph Wharton executors appointed as aforesaid of the Will of Anna Wharton deceased and Deborah F. Wharton mother of said Anna Wharton to Thomas J. Martin in fee for said three lots or pieces of ground with the moieties of the streets and avenues fully described in the above recited Deed of Partition as allotted to said Charles William Wharton as trustee for said Anna Wharton (said Deborah F. Wharton joining to testify her consent and approbation).

Duly executed and acknowledged same day and Recorded September 9to, 1873 in Deed Book F. T. W. No. 71 page 344 &c.

Said tract of 24 acres and twenty eight hundredths of an acre described at the head of this Brief thus became vested

in the said Thomas J. Martin his heirs and assigns by said four last above recited Deeds dated respectively July 18th, 1873, and August 25th 1873.

From the Records and Papers produced

MORTON & ELSASSER

Searches

Certify any unsatisfied Mortgages on record of a piece of land situate on the Lamb Tavern Road and Nicetown Lane in the late Twenty-first now Twenty-eighth Ward of the City of Philadelphia Containing 23 acres more of less and composed of pieces of 13 acres 80 perches and 12 acres Ascertained by a recent survey to contain $24\frac{28}{100}$ acres and is intersected by Alleghany Avenue Clearfield Street Thirty-second Thirty-first Thirtieth Twenty-ninth and Twenty-eighth Streets or of any part of the same from

1 William Hunt from January 1, 1800, to June 1, 1810.
2 Richard Hunt, Jr.
from January 1, 1800, to July 1, 1808.
3 Ann Hunt from January 1, 1800, to July 1, 1808.
4 James Hunt from January 1, 1800, to July 1, 1811.
5 Glover Hunt from January 1, 1800, to May 1, 1810.
6 John Renshaw from January 1, 1800, to Aug. 1, 1809.
7 Robert Kennedy
from February 1, 1808, to May 1, 1810.
8 Joseph Sims from April 1, 1810, to February 1, 1851.
9 William Wharton
from January 1, 1851, to February 1, 1856.
10 Anna Wharton
from January 1, 1856, to December 1, 1863.
11 William Wharton, Jr. Trustee
from February 1, 1859, to October 1, 1861.
12 Hetty F. Wharton
from January 1, 1856, to January 1, 1860.

13 Robert Haydock
14 Hannah W. Haydock } from January 1, 1856,
15 Benjamin R. Smith } to date of certificate.
16 Hetty F. W. Smith
17 Abraham Barker since June 1, 1861.
18 Charles W. Wharton (*or as Executor or Trustee*) since January 1, 1856.
19 Joseph Wharton *Executor* since July 1, 1863.

MORTON & ELSASSER

On searching the Index of Mortgages for the City and County of Philadelphia I find no unsatisfied Mortgages of the above described premises or any part thereof given by either of the nineteen (19) persons above named within the periods specified.

Witness my hand and seal of office this twenty-third day of July A. D. 1873.

EDW. R. BILES
pro Recorder

[SEAL]

None to September 5th, 1873.

Edw. R. Biles
pro Recorder

Certify any Taxes registered against a piece of land situate on the Lamb Tavern Road and Nicetown Lane in the late Twenty-first now Twenty-eighth Ward of the City of Philadelphia, Containing 23 or 24 acres. It is intersected by Alleghany Avenue Clearfield Street Thirty-first Street Thirtieth Street Twenty-ninth Street and Twenty-eighth Streets; in the names of

JOSEPH SIMS
WILLIAM WHARTON
CHARLES WILLIAM WHARTON

ABRAHAM BARKER

or any other name.

MORTON & ELSASSER

On examining the Register of Unpaid Taxes I find nothing against the above described premises for the years 1868 to 1872 inclusive.

J. NUTTALL
Reg. Clerk

On examination of the Judgment Index of the District Court for the City and County of Philadelphia from July 23rd A. D. one thousand eight hundred and sixty-eight (1868) to the 24th day of July one thousand eight hundred and seventy-three (1873) I find no unsatisfied Judgments entered therein within that period against

JOSEPH WHARTON *Executor*
CHARLES W. WHARTON *Executor and Trustee*
ABRAHAM BARKER
HANNAH W. HAYDOCK
HETTY F. W. SMITH

Chas. Oct 22 '69

Certified by CHAS. P. LYLE
pro Prothonotary

[SEAL]

None to September 1st, 1873.

CHAS. P. LYLE
pro Proth'y.

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia from July 23rd A. D. one thousand eight hundred and sixty-eight (1868) to the twenty-fourth day of July one thousand eight hundred and seventy-three (1873) I find no unsatisfied Judg-

ments entered therein within that period against

JOSEPH WHARTON
CHARLES W. WHARTON
ABRAHAM BARKER
HANNAH W. HAYDOCK
HETTY F. W. SMITH

Certified by S. COULTER, JR.
pro Prothonotary

[SEAL]

None to September 1st, 1873.

S. C. JR.

I James Ross Snowden Prothonotary do certify that on examining the Judgment Index of the Supreme Court of Pennsylvania for the Eastern District for five years prior to the twenty-fourth day of July one thousand eight hundred and seventy-three I find no unsatisfied judgment entered within that period against

JOSEPH WHARTON (*Executor*)
CHARLES W. WHARTON (*Executor and Trustee*)
ABRAHAM BARKER
HANNAH W. HAYDOCK
HETTY F. W. SMITH

CHAS. P. ROSS
pro Prothonotary

[SEAL]

None to 1st September 1873.

J. L. B.
pro Proth'y

COURT OF QUARTER SESSIONS OF THE PEACE
FOR THE CITY AND COUNTY OF PHILADELPHIA.

I certify that I have examined the records of the aforesaid Court for five years past and do not find any unsatisfied judg-

ments against

JOSEPH WHARTON (*Executor*)
CHARLES W. WHARTON (*Executor and Trustee*)
ABRAHAM BARKER
HANNAH W. HAYDOCK
or HETTY F. W. SMITH

FRANK P. GOODWIN
pro Clerk.

[SEAL]

July 24th, 1873.

None to September 1'73.
F. P. G.

UNITED STATES
EASTERN DISTRICT OF PENNSYLVANIA } *sct.*

I Samuel Bell Clerk of the Circuit Court of the United States in and for the Eastern District of Pennsylvania do hereby certify that there are no unsatisfied Judgments remaining on record in my office obtained within the last five years against

JOSEPH WHARTON (*Executor*)
CHARLES W. WHARTON (*Executor and Trustee*)
ABRAHAM BARKER
HANNAH W. HAYDOCK *or*
HETTY F. W. SMITH

Philadelphia, this 24th day of July A. D. 1873.

JOHN B. BEAVER
pro Clerk

[SEAL]

None to Sept. 1st, 1873.
J. B. BEAVER
pro Clerk

UNITED STATES

EASTERN DISTRICT OF PENNSYLVANIA } *ss.*

I, Gilbert R. Fox, Clerk of the District Court of the United States for the Eastern District of Pennsylvania certify that there are no unsatisfied Judgments remaining on record in my office obtained within the last five years against

JOSEPH WHARTON *Executor*
CHARLES W. WHARTON *Executor and Trustee*
ABRAHAM BARKER
HANNAH W. HAYDOCK *or*
HETTY F. W. SMITH

[SEAL]

Philadelphia, this 24th day of July A. D. 1873.

JOHN B. BEAVER
pro Clerk District Court

None to September 1st, 1873.

J. B. BEAVER
pro Clerk

THIRTEENTH
STREET
DREXEL
ESTATE
DICKINSON
STREET
TASKER
MORRIS
STREET
GRIFFITH
STREET
BOND
STREET
TWELFTH
STREET
STREET
PASSYUNK
ROAD
ROAD
Philanthropic Cemetery

TH
MORRIS
ROAD
S.26°15'E.312.2
162
161
160
159
964
77.8
59
16
16
16

4

Siddall Brothers, Printers

52

Abstract of Title

TO

A tract of land containing 8 acres 1 rood and 14 perches part of a tract of land formerly called

"TREVESKAN"

situate in the 26th Ward of the City of Philadelphia, late the Estate of Samuel Baker, deceased, laid out and divided into 293 lots of ground numbered from 1 to 293, as shown on the opposite plan.

Abstract of Title

TO

All that certain tract or piece of land situate in the 26th Ward of the City of Philadelphia described according to a survey and plan thereof made by Thomas Daly Surveyor and Regulator of the 1st District of the said City in April, 1869, as follows: — Beginning at the intersection of the N. W. side of Passyunk Road with the N. E. side of Buck Road thence extending along the said side of Passyunk Road N. 47° 30′ E. 709 feet 6 inches to a point thence along the Philanthropic Cemetery N. 33° 10′ W. 744 feet to a point thence S. 55° W 85.4 feet to a point thence by Drexel's land S. 14° 35′ W. 802 feet 3 inches to the N. E. side of the said Buck Road and thence along the said side of the said Buck Road S. 26° 15′ E. 312 feet 2 inches to the place of beginning. Containing 8 acres 1 rood and 14 perches.

No. 1

1684
5th, mo. 21st

Viewed
Record

PATENT.– William Penn Proprietary and Governor of the Province of Pennsylvania and the territories thereunto belonging to Lasse Andrews William Stille Andrew Bankson and John Matson in fee for inter alia a certain tract of land in the County of Philadelphia Beginning at a corner marked hickory tree being the corner tree of Passyunk land then by the said Passyunk line of marked trees N. 272 perches to a corner marked Spanish oak being the upper corner tree of the said Passyunk lands then N. E. by a line of marked trees 116 perches to

a corner marked swamp oak standing by Shackhanoing being the corner tree of Wiccacoa land then S. E. and by S. by the said land 300 perches to a corner marked white oak standing by the swamp side from thence along the said swamp on several courses to a corner marked mulberry tree standing on Ranckens Hook then along the several courses of the said Hook and meadow to a corner marked oak sapling standing at the head of the said Hook from thence the several courses of the swamp to the first mentioned hickory tree Containing 525 acres of land "granted by "virtue of a patent to Martin Clensmith William Stille and "Lawrence Andrews from Alexander Hoynoyassa Governor "of the South river in America bearing date the 3rd day of "the 4th month 1664 and by virtue of a warrant from the "said William Penn dated the 13th day of the 4th month "1683 for a re-survey of the same the same was re-surveyed "on the 20th of the said month and year unto Lawrence An- "drews, Andrew Banckson, John Stille and John Matson the "present possessors and equal sharers in the said land."

Recorded 14th 9th month 1684 in Patent Book A. vol. 1 page 58 and in Exemplification of same book deposited at Philadelphia "Exemplification Record No. 1" page 47.

No. 2

1684
Sept. 12th

Viewed
Record

DEED (or bill of sale).- John Matson with the consent of Mary his wife in consideration of £120 to Patrick Robinson in fee for "all that his the said John Matson his "just and equal 4th part of a certain tract of "land in the said County of Philadelphia "commonly known by the name of Moya- "mensing bounded on the lands of Pas- "syunck and Wiccacoe containing 525 acres "of land as also that his the said John Matson his just and "equal 4th part of 2 parcels of meadow containing 63 acres

"in the said County adjacent to the said land being in the "whole both meadow and upland 588 acres of land his the "said John Matson his just and equal 4th part consisting of "1 home lot and 3 other pieces of fenced and improved lands "and the remainder of his said 4th part being as yet un- "divided and in common betwixed Lawrence Andrews, An- "drew Banckson, John Stille and him the said John Matson "the present possessors and equal sharers thereof."

Duly executed by John Matson only. Acknowledged in open Court 10th month 3rd day 1684 and Recorded 6th 10th month 1684 in Deed Book E 1 vol. 5 page 45.

No. 3

1685
9th mo.
(Nov.) 4th

Viewed
Record

DEED (or conveyance).- Patrick Robinson in consideration of £ 120 to Henrie Jones his heirs and assigns forever (excluding Joseph Jones his eldest lawful son and his heirs forever) for all that his the said Patrick Robinson's 4th part of the same Moyamensing lands as last above described in the said bill of sale.

Duly executed and acknowledged in open Court 4th 9th month, 1685, and Recorded 6th of 9th month, 1685, in Deed Book E. 1 vol. 5 page 135.

No. 4

1688
19th 6th mo.
(August)

Viewed Record
and the original

LAST WILL AND TESTAMENT of Henry Jones (of Moyamensing) wherein and whereby he makes sundry bequests and devises and also wills as follows: — "Sixthly I will that my said executors "after named or any two of them for my "estate and affairs in Barbados and Penn- "sylvania respectively shall and may (if

"they see the same meet and convenient for my said estate "reputation and children) hire let set lease repair improve "or sell to the best advantage all and singular my real and "personal estate here or elsewhere and shall and may sign "seal and deliver bills of sale leases and conveyances for the "same with all solemnities requisite to such persons as shall "buy lease or purchase the same from them." And of his said last will and testament the said testator did make John Jennings Humphrey Waterman the younger and John Jones or any two of them executors for his estate and affairs in Pennsylvania to all of whom letters testamentary were duly granted.

Duly executed. Proved and registered at Philadelphia 16th of 8th month, 1688: to be found among files of Wills 1683 to 1700 No. 43 and Recorded in Book of Wills A page 83.

No. 5

Recited

DEED.- John Jones and Lieut. Col. Humphrey Waterman executors of the said Henry Jones deceased to John King in fee for the said 4th part of the said Moyamensing lands.

No. 6

1698
2nd mo. 7th
(April)

Viewed
Record

LAST WILL AND TESTAMENT of John King of Moyamensing mariner wherein and whereby he wills as follows: "secondly my will is that all my estate as lands "houses servants goods and chattles or so "much thereof as is mentioned and contained "in a schedule hereunto annexed (except "the £ 100 before reserved) be equally divided between my dear wife Mary King and "my two children John King and Love King

"and to the survivor or survivors of them" and after appointing his said wife Mary King sole executrix of his will he empowers her as follows: "with full power to my said "executrix as soon as may be after my decease with advice "of my friends Samuel Harrison John Crapp and Joseph "Pidgeon or any of them to sell and dispose of all my houses "lands goods and chattles mentioned in the schedule or that "may appertain to me and with all to make such titles there-"unto in all respects as the law shall require unto any per-"son or persons as shall purchase the same."

Duly executed; proved and registered at Philadelphia 15th April, 1698, on file among Wills 1683 to 1700 No. 169 and Recorded in Book of Wills A. page 393.

No. 7

1699
October 20

Recited in the next abstracted Deed

INDENTURE OF BARGAIN AND SALE.- Mary King relict and executrix of the last will and testament of John King late of Moyamensing mariner deceased in consideration of ———— by virtue of the power given her by the said testament to William Wells in fee for all the said John King's just and equal 4th part of a certain tract of land in the County of Philadelphia called Moyamensing bounded on the land of Passyunk and Wiccacoe containing 525 acres of land and also his the said John's just and equal 4th part of 63 acres of meadow adjacent to the said land being in the whole both meadow and upland 588 acres the said 4th part consisting of one house lot 3 other pieces of fenced and improved land the remainder undivided and in common with other persons.

Acknowledged in open Court at Philadelphia.

No. 8

Viewed Record

Which appears to have been transcribed from the remains of the original record during the term of office of Andrew Miller Recorder of Deeds:

DEED POLL.- William Wells after reciting the last above Indenture in consideration of £325 to William Carter for "all and "singular the above mentioned full equal "4th part of the said tract of land contain- "ing 525 acres and also the said full and "equal 4th part of the said 63 acres of mead- "ow being in all both meadow and upland "588 acres situate and bounded and being "as aforesaid together with the messuage or "tenement and plantation thereon."

Duly proved by one of the subscribing witnesses 27 January 1713 - 14 and recorded 28 January 1713 - 14 in Deed Book E. 7 vol. 9 page 157.

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parts of the said record (including the date and signature) are missing, the corresponding parts of the original record had through decay become lost and therefore could not be made out nor re-copied.

No. 9

In a Deed dated 13 May 1702 (see Deed Book F. No. 2 page 270) from Michael Leycon alias Neilson to Andrew Wheeler both devisees of Lawrence (Lasse) Andrews it is recited that the said Lawrence died seized of ¼ part of said land and meadow severed and divided from the residue thereof from which it is inferred that a division of the same land and meadow had been made between the parties interested.

No. 10

1720
June 24th

Viewed
Record

DEED.- William Carter et ux to Charles Read his heirs and assigns for a certain piece or parcel of land situate lying and being in Moyamensing in the County of Philadelphia in the province of Pennsylvania. Beginning by Passyunk Road at a corner post dividing this from land reputed John Stille's thence along the said Road N. E. 21½ perches to another corner post dividing this from other of the said William Carter's land intended to be granted to Evan Owen thence by the same N. 27° and a half W. 78 perches and 10 feet to Henry Stophal's land at a corner post thence by the said Stophal's land S. W. 17½ perches to a corner of said Stille's land thence by the same S. 25° E. 79 perches to the place of beginning. Containing 9 acres and ¼ part of an acre or thereabouts be the same more or less reserving thereout yearly unto the said William Carter his heirs and assigns the rent or sum of £2 current money in gold at 5 s. and 6 d. per pennyweight or silver at 6 s. and 10 d. half penny per ounce on the 24th days of June and December.

Duly executed by William Carter but not by his wife and Acknowledged by William Carter alone March 31st 1736 and Recorded July 22nd 1846 in Deed Book A. W. M. No. 18 page 207 &c.

No. 11

1720
June 24th

Viewed
Record

DEED.- William Carter et ux to Evan Owen his heirs and assigns for a certain piece or parcel of land situate lying and being in Moyamensing in the County of Philadelphia in the said province. Beginning by Passyunk Road at a corner post dividing this from other of the said William Carter's land intended to be granted to Charles Read thence along the said road N. 48° E. 21½

perches to Andrew Wheeler's land thence by the said Wheeler's land N. 30° W. 78¼ perches to Henry Stophal's land thence by the said Stophal's land S. W. 17½ perches to the said land intended to be granted to Charles Read thence by the same S. 27½° E. 78 perches and 10 feet to the place of beginning. Containing 9 acres and ¼ part of an acre or thereabouts (be the same more or less) reserving thereout every year unto the said William Carter his heirs and assigns the rent or sum of £2 current money in gold at 5 s. and 6 d. per pennyweight or silver at 6 s. and 10 p. half penny per ounce on the 24th days of June and December.

Duly executed by William Carter but not by his wife and Acknowledged by William Carter alone March 31st 1736 and Recorded July 22nd 1846 in Deed Book A. W. M. No. 18 page 211.

No. 12

1731
April 17th

Viewed
Record

DEED POLL.- Owen Owen Coroner of the City and County of Philadelphia in consideration of £80 to Nicholas Scull in fee for the said last described piece or parcel of land containing 9 acres and ¼ part of an acre or thereabouts. Seized and taken in execution and sold as the property of Evan Owen deceased in the hands of Mary Owen his administratrix by virtue of a writ of Vend. Exps. issued out of the County Court of Common Pleas at the suit of Charles Read Esquire tested at Philadelphia March 5th 1731 returnable June 9th then next to recover £160 and damages.

Duly executed and Acknowledged in the County Court of Common Pleas held at Philadelphia for the City and County of Philadelphia June 11th 1731 and Recorded July 22nd 1846 in Deed Book A. M. W. No. 18 page 222.

No. 13

Recited in Deed No. 17 hereinafter abstracted

The said Nicholas Scull and Abigail his wife by Indenture of August 25th 1731 granted the same (last described tract of land containing 9 acres and ¼ part of an acre or thereabouts) unto the said Charles Read in fee.

No. 14

1726 August 12th

Recited in Deed No. 17 hereinafter abstracted

INDENTURE.- Henry Scobell and Patience his wife in consideration of ——— to Charles Read in fee for a certain other piece or tract of land in Moyamensing Township aforesaid. Beginning at a post being a corner of the said Charles Read's other land thence by the same and by Evan Owens N. 46° E. 35 perches to a corner of the said Owen's land thence by Scobell's land N. 30° W. 24 perches to a corner stone inscribed C. R. thence by Scobell's land S. 60° W. $30\frac{6}{10}$ perches to another corner stone inscribed C. R. thence S. 25° E. $31\frac{7}{10}$ perches to the place of beginning. Containing 5 acres and 35 perches together with the appurtenances.

No. 15

1732 May 23rd

Recited in Deed No. 17 hereinafter abstracted

INDENTURE.- Charles Read in consideration of ——— to Patrick Gordon Esq. in fee for all those the said three described pieces of land in one tract the same lying contiguous. Containing 23 acres and 115 perches by the name of "Treveskin" and the messuage or tenement thereon erected; subject to the ground rents aforesaid.

No. 16

1735
Nov. 21st

Viewed
Record

LAST WILL AND TESTAMENT of Patrick Gordon wherein and whereby after several bequests of a pecuniary and personal nature he wills as follows: "All the residue "of my estate real and personal lands and "tenements hereditaments goods chattels "household furniture plate bonds bills debts "and other effects whatsoever of which I "now am or hereafter may be possessed (in- "cluding the aforegoing tracts) I give devise and bequeath "to be equally divided as followeth viz: One equal fourth "part thereof to my said son-in-law Robert Charles and my "daughter Henrietta his wife their heirs and assigns forever: "one equal fourth part thereof to my son-in-law Abraham "Taylor and my daughter Philadelphia his wife and to their "heirs and assigns forever: one other equal fourth part "thereof to my daughter Elizabeth and to her heirs and "assigns forever: and the remaining fourth part thereof to "my daughter Agathea Harriott and her heirs and assigns "forever provided always that if my said daughters Elizabeth "or Agathea Harriott or either of them happen to die un- "married then in such case I will and direct that the legacies "herein and hereby given to them or to her which shall so "happen to die be divided equally among my surviving "daughters and the representatives of any one or more of "my other daughters who may happen to decease before "that time."

Duly proved and registered at Philadelphia August 17th 1736 among wills of 1736 No. 1 and Recorded in Book of Wills F. page 1.

No. 17

1739
Nov. 15th

Viewed
Record

DEED.- Robert Charles and Henrietta his wife Abraham Taylor and Philadelphia his wife Elizabeth Gordon (of Aberdeen Scotland) and Agathea Harriot Gordon (the said Henrietta Philadelphia Elizabeth and Agathea Harriot being the daughters of the said Honorable Patrick Gordon deceased) in consideration of £375 to Israel Pemberton jr. in fee for (inter alia) all those the said 3 contiguous pieces of land containing in the whole 23 acres and 115 perches called "Treveskin" and the messuage or tenement thereon erected under the several rents and reservations aforesaid as thereafter to grow due and payable.

Duly executed by all the parties except Elizabeth Gordon and Acknowledged by Robert Charles et ux and Agathea Harriot Gordon November 15th, 1739, and by Abraham Taylor et ux November 17th, 1739, not Acknowledged by Elizabeth Gordon and Recorded September 16th, 1740, in Deed Book G. No. 1 page 168.

No. 18

1740
April 9th

Viewed
Record

DEED.- Elizabeth Gordon reciting inter alia that she in conjunction with her said sisters and brothers-in-law did by her attorneys Thomas Griffitts and John Kinsey (though not authorized in due form of law) sell the said messuages lands and premises unto the said Israel Pemberton for the sum of £375 in consideration of the one full and equal 4th part of the said consideration money and for divers good causes and considerations her specially moving to Israel Pemberton jr. in fee for all that the aforesaid one full equal and undivided 4th part unto her the said Elizabeth devised by the testament aforesaid of and

in (inter alia) all that messuage or tenement plantation and tract of land called "Treveskin" situate in or near Moyamensing in the County of Philadelphia in the said Province of Pennsylvania. Beginning at Passyunk Road at a corner post dividing this from land of Benjamin Duffield thence by that and land late of Benjamin Paschall deceased N. 30° W. 101 $\frac{8}{10}$ perches to a corner stone marked C. R. thence by land of Thomas Lawrence S. 60° W. 30½ perches to another corner stone marked C. R. thence by land of the said Thomas Lawrence S. 25° E. 31 $\frac{7}{10}$ perches to a road leading to the aforesaid Passyunk Road thence by the said road and last mentioned course 79 perches to a post by the aforesaid Passyunk Road thence by the said road N. E. 21½ perches to a post thence by the same road N. 48° E. 21½ perches to the place of beginning. Containing 23 acres and 115 perches.

Certified and declared by two of the Magistrates and Justices of the Peace of Aberdeen attested by the Town Clerk under the privy seal of the said City as of April 9th 1740 to have been truly and lawfully executed by the said grantor before the subscribing witnesses thereto Recorded September 16th, 1740, in Deed Book G. No. 1 page 174.

No. 19

Recited

The said Israel Pemberton jr. in the year 1778 or 1779 died seized of the aforesaid premises intestate leaving issue three children viz: Joseph Pemberton Mary the wife of Samuel Pleasants and Sarah the wife of Samuel Rhoads jr. and one grand-daughter named Mary Pemberton the only issue of his son Charles Pemberton deceased to and in which three children and one grand-child said premises descended and became vested in fee the said Joseph Pemberton being entitled to a double share.

No. 20

1780
January 7th

Viewed
Record

At an Orphans' Court for the City and County of Philadelphia held this day the petition of said Joseph Pemberton Samuel Pleasants and Mary his wife Samuel Rhoads jr. and Sarah his wife and Mary Pleasants infant by her guardian Thomas Parke was presented setting forth that Israel Pemberton (who was the father of the petitioners the said Joseph Pemberton Mary Pleasants and Sarah Rhoads and grand-father of said Mary Pemberton) lately departed this life intestate seized at the time of his death of and in divers messuages tenements lots ground rents lands hereditaments and real estate situate lying and being in the said City and County of Philadelphia which had descended to the petitioners. That said petitioners being desirous that partition should be made between them of the said messuages tenements lots ground rents lands hereditaments and real estate late of the said Israel Pemberton deceased according to their several and respective shares therein had agreed together that John Reynell, Edward Pennington, Samuel Lewis and Richard Wells all of the said City should make such partition between them they therefore prayed the Court to appoint the said 4 persons to make partition between the petitioners of the said messuages tenements lots lands ground rents hereditaments and real estate late of the said Israel Pemberton deceased according to their several and respective shares therein and according to the several Acts of Assembly of Pennsylvania relating to the partition and distribution of intestates' estates whereupon it was ordered by the said Court that the said 4 persons should make equal partition of the real estate of the said Israel Pemberton deceased between the said petitioners according to the best of their judgment and that of their doings in the premises they should openly and distinctly make return before the Justices of the next

Orphans' Court after such partition made.
Vide Orphans' Court Docket No. 11 page 154.

No. 21
Viewed
Record

At an Orphans' Court aforesaid held at Philadelphia on the 13th of March, 1780, the Report of the said John Reynell Edward Pennington Samuel Lewis and Richard Wells under their hands dated 11th of 3rd Month (March), 1780, was read certifying that having gone to the several messuages tenements lots lands hereditaments and real estate of the said Israel Pemberton and having put a just value thereon did make partition of the same in manner following as therein mentioned whereby a certain plantation or tract of land situate in the Township of Moyamensing in the County of Philadelphia called "Traveskan" together with all the buildings and improvements thereon marked in the plan to said partition annexed S. & M. P. No. 1 beginning at a post standing at the intersection of Passyunk Road with a lane leading from the said Road Northwestward into Passyunk Township thence by the said Passyunk Road N. E. 21½ perches to a post standing by the said Road thence continuing by the said Road N. 48° E. 21½ perches to a post a corner of land late of Andrew Wheeler now of Jacob Duché the elder thence by the last mentioned land and land late of Henry Scoball deceased N. 30° W. 102¼ perches to a corner stone in the line of land formerly of the said Henry Scoball and late of Reese Meredith deceased thence by the same land S. 60° W. $30\frac{6}{10}$ perches to a corner stone thence partly by land of and partly by the aforesaid lane leading from Passyunk Road to Passyunk Township which lane divides this from land formerly of John Stille S. 25° E. $110\frac{7}{10}$ perches to the post first mentioned the place of beginning. Containing 23 acres and 115 perches of land be the same more or

less (18½ acres part of the said 23 acres 115 perches being subject to a yearly rent charge of £4 lawful money of Pennsylvania payable to the assigns or devisees of William Carter deceased) was inter alia assigned unto Samuel Pleasants and Mary his wife in right of the said Mary to be holden by them the said Samuel Pleasants and Mary his wife and the heirs and assigns of the said Mary in severalty forever as her and their one full fifth part or share of and in the real estate of the said Israel Pemberton deceased.

Which said Report was ratified and confirmed by the said Court and it was ordered that the partition thereby made be and remain firm and stable forever.

Vide Orphans' Court Docket No. 11 page 167.

No. 22
1819
7th mo. 8th
Viewed
Record

LAST WILL AND TESTAMENT of Mary Pleasants relict of Samuel Pleasants wherein and whereby after first directing the payment of all her just debts and funeral expenses she wills as follows: "2nd "I direct and enjoin my executors to sell "and dispose of my plantation called 'Tre- "veskin' with the mansion house and im- "provements thereon situate in the Town- "ship of Moyamensing and County of Philadelphia. Con- "taining about 23 acres of land in lots or all together as to "them may appear best as soon as it can be done to the "best advantage" "I hereby authorize and empower my ex- "ecutors and the survivor of them at such time or times as "they may deem proper but with as much despatch as cir- "cumstances will permit to grant sell and dispose of all my "estate both real and personal at public or private sale at such "price or prices as they may be able to obtain and to make "seal execute and deliver good sufficient and legal deeds of "conveyance and titles to the purchaser thereof in fee simple."

And of her said Will she appointed her sons Israel, Charles and Joseph Pleasants executors.

Duly proved and registered at Philadelphia April 26th, 1821, among Wills of 1821 No. 61 and Letters Testamentary granted same day to Joseph and Charles Pleasants (Israel having renounced) and recorded in Book of Wills No. 7 page 292.

No. 23

1822
June 1st

Viewed
Record
also
Produced and
Examined

DEED.- Charles Pleasants and Joseph Pleasants acting executors of the last Will and Testament of Mary Pleasants widow deceased in consideration of $8225.- and by virtue and in pursuance of the power and authority given in and by the last Will and Testament of the said Mary Pleasants deceased to Samuel Baker in fee for a certain messuage or tenement and tract or piece of land called "Treveskin" situate in Moyamensing Township County of Philadelphia. Beginning at a post standing at the intersection of Passyunk Road with a lane or road called the Buck Road thence extending by said Passyunk Road N. E. 21½ perches to a post standing by the said road thence continuing by the said road N. 48° E. 21½ perches to a post a corner of land late of Andrew Wheeler since of Jacob Duché the elder thence by the same and land late of Henry Scoball deceased N. 30° W. 102¼ perches to a corner stone in the line of land formerly of the said Henry Scoball and late of Reese Meredith deceased thence by the same S. 60° W. $30\frac{6}{10}$ perches to a corner stone thence partly by land formerly of Thomas Lawrence and partly by the Buck Road aforesaid S. 25° [E.] $110\frac{7}{10}$ perches to the place of beginning. Containing 23 acres and 115 perches of land be the same more or less. Under and subject with respect to each of the two lots fronting on

Passyunk Road parts of the above described tract of land to the yearly ground rent of £2.- current money of Pennsylvania making together £4.- per annum payable in half yearly portions on the 24th days of June and December in every year to Wm. Carter his heirs and assigns forever.

Duly executed and acknowledged same day and Recorded June 27th, 1822, in Deed Book I. H. No. 4 page 248.

TITLE TO THE SAID TWO YEARLY GROUND RENTS OF £2.- EACH

No. 24

1738
November 6

Viewed
Record

LAST WILL AND TESTAMENT of William Carter (who reserved the said two rents) wherein and whereby he (inter alia) wills as follows: — "And also I give unto "my said wife Mary the yearly sum of £60 "2s. 2d. it being the amount of fifteen years "rent charge annuities or yearly payments "next after specified charged on certain "messuages and lots in the said City and "lands at or near Mayamensing in the County of Philadel- "phia in the said province and payable by the several and "respective indentures deeds ways or means thereof recited "together with the penalties and appurtenances to the same "rents respectively belonging that is to say (inter alia) one "rent of £2 per annum by indenture of Charles Read to me "of the 24th day of June 1720 on land at Mayamensing afore- "said. One other like rent of £2 per annum by indenture "of Evan Owen to me of the same date on land at Mayamen- "sing aforesaid all of which said Mayamensing land are now "in the tenure or occupation of Governor Gordon. To "hold the said last mentioned fifteen yearly rents amounting

"to the sum of £60 2s. 2d. per annum together with the "penalties and appurtenances thereunto respectively belonging unto her my said wife Mary and her assigns for and "during all the term of her natural life and from and immediately after the determination of that estate then to my "said Trustees and to their heirs and assigns forever In trust "and for the performance of this my will in such sort manner "and form as is hereinafter appointed" and further "And it "is my will and I do hereby appoint that my said Trustees "(Samuel Powell, Anthony Morris, John Bringhurst and "Peter Lloyd) or the survivors or survivor of them shall "settle and convey the said messuages lands tenements and "hereditaments so devised in trust as aforesaid for such purposes and to such person or persons and bodies politick "and corporate and in such sort manner and form as hereinafter particularly mentioned and directed that is to say" and further "And as for and concerning all those four yearly "rents (part of the aforesaid sum of £60 2s. 2d.) next after "specified viz: (inter alia) the £2 by the said indenture of "Chas Read and also the £2 by the said indenture of Evan "Owen from and after the determination of my said wife's "estate as aforesaid" and nine other specified yearly rents and three specified messuages or tenements and lots thereto belonging "with the appurtenances of the said messuages "and lots and penalties with the appurtenances concerning "the same last mentioned thirteen yearly rents to and for the "intent and purpose that by and out of the same rents the "yearly sum of £10 13s. may be annually imployed in the "fitting out and putting to apprentice yearly forever two such "poor children of either sex as the people called Quakers "belonging to their monthly meeting in the said city shall "from time to time appoint. And to and for the further intent and purpose that by and out of the same last mentioned thirteen yearly rents the yearly sum of £12 2s. or "so much as shall be thought needful may be annually im-

"ployed and laid out for the relief of the poor people belong-
"ing to the alms houses belonging to the people called
"Quakers in the said City for their clothing" and further
"And for the further intent and purpose that the people be-
"longing to the said monthly meeting may imploy and dis-
"pose of all the residue (of the last mentioned thirteen yearly
"rents and the one moiety or equal half part of the three
"last mentioned messuages and lots) in building and repair-
"ing of schools hospitals houses of religious worship or for
"purchasing of lots to build them on or burying ground for
"interring their dead or for the relief of their poor as the peo-
"ple of the said meeting shall think fit and the other moiety
"of the same messuages and lots to the use and service of
"the said alms house of the said people called Quakers in the
"said city and the poor people of the same belonging forever.
"And my will is that my said Trustees or the survivors
"or survivor of them shall settle and convey" (here the tes-
tator mentions the last nine of the said thirteen yearly rents)
"As also (after the determination of my said wife's estate for
"life as aforesaid) the four other residues of the said thirteen
"yearly rents with the appurtenances and the penalties to be
"incurred on non-payment unto such person or persons and
"their heirs (as the people of the said monthly meeting at
"Philadelphia aforesaid) with the concurrence of my said
"Trustees or the major part of them shall think fit to and for
"the several and respective uses intents and purposes here-
"inbefore mentioned and expressed."

Duly proved and registered at Philadelphia March 16th, 1738, among Wills of 1738 No. 98 and Recorded in Book of Wills F. page 101.

No. 25 } The said two yearly ground rents afterwards by a chain of conveyances (see Deed Books M. R. No. 16 page 63 M. R. No. 18

page 8 A. M. No. 71 page 233 and A. D. B. No. 1 page 424) became legally vested in Charles Williams Thomas Lippincott Joseph E. Maule William Kinsey Edward Richie Jesse Williams Joseph W. Stokes and Benjamin H. Pittfield and the survivors and survivor of them and the heirs and assigns of such survivor forever (subject to the restriction that they should be applied to fitting out and putting to apprentice yearly forever 2 poor children of either sex according to the directions of the will of the said William Carter deceased) in trust to and for the only proper use and benefit of the monthly meeting of the religious Society of Friends commonly called Quakers of Philadelphia for the Northern District forever.

No. 26 } An Act of Assembly of the Commonwealth of Pennsylvania entitled "an Act to "authorize the extinguishment of certain "ground rents" approved the 15th day of March A. D. 1862 wherein and whereby after reciting in the preamble thereof the said last will and testament of the said William Carter duly proved and recorded as aforesaid and the devise and bequest of the said 13 small ground rents including the said 2 of £2 each to and for the intents and purposes as in the said will expressed and further reciting "and whereas there "is great difficulty encountered in the collection of these very "small ground rents and their existence as a permanent lien "upon large pieces of ground is an impediment to the im- "provement thereof and it is believed that the charitable in- "tentions of the donor would be promoted by permitting the "sums due on said ground rents to be paid off and the ground "rents extinguished and the whole sum realized from the "sale or extinguishment of such ground rent or ground rents "to be re-invested so that the income could be received to- "gether and applied to the objects designated in the will of "said William Carter" it is enacted as follows: "Section 1:

"Be it enacted by the Senate and House of Representatives "of the Commonwealth of Pennsylvania in General Assembly "met and it is hereby enacted by the authority of the same "that Charles Williams Thomas Lippincott Joseph E. Maule "William Kinsey Edward Richie Jesse Williams Benjamin "N. Pittfield and Joseph N. Stokes or any other person or "persons in whom the legal title of said yearly rents charge "is vested as trustees of the religious society of Friends com- "monly called Quakers of Philadelphia for the Northern Dis- "trict and the survivor and survivors of them be and they "hereby are authorized and empowered to sell and dispose "of or release extinguish and forever discharge all or any of "the said annual ground rents and upon the receipt of the "purchase money to convey and assign or release extinguish "and forever discharge the said annual ground rent or ground "rents or any of them to the purchaser or purchasers or "redeemers thereof such purchasers or redeemers not to be "required to look after the application of the purchase or "redemption money; and said trustees to invest the proceeds "thereof in other safe securities to be held and applied by "them to and for the purpose mentioned and expressed in "the Will of said William Carter deceased."

Vide Pamphlet Laws of 1862 page 126.

No. 27

1862 May 13

Viewed Record also Produced and Examined

DEED.- Charles Williams Thomas Lippincott William Kinsey Edward Richie Jesse Williams Benjamin H. Pittfield and Joseph W. Stokes "the now trustees of the monthly "meeting of the religious society of Friends "commonly called Quakers of Philadelphia "for the Northern District (created by deed "dated the 11th day of 1st month A. D. 1858 "and Recorded in Deed Book A. D. B. No. 1 "page 424 &c.)" in consideration of $235.-

to Samuel Baker in fee granting releasing and extinguishing the aforesaid two yearly ground rents or sums of £2 each (recites that the said society of Friends commonly called Quakers at their monthly meeting held in the said City on the 29th day of the 4th month A. D. 1862 did authorize and direct the said trustees on the payment of the sum of $235.- by the said Samuel Baker to them to make and execute the requisite deeds of conveyance to him for the extinguishment of the said two ground rents of £2 each respectively charged upon the pieces or parcels of land aforesaid the fee in each of which by divers good conveyances and assurances in the law became vested in the said Samuel Baker his heirs and assigns).

Duly executed and acknowledged by all of the said trustees except Joseph W. Stokes same day and by said Joseph W. Stokes 16th of May 1862 and Recorded May 28th 1862 in Deed Book A. C. H. No. 50 page 283.

No. 28 } The said Samuel Baker disposed of the Westernmost and larger portion of the said large tract of 23 acres and 115 perches in his life time and being seized of the remaining portion thereof (about 8 acres 1 rood and 14 perches — the premises in question) afterwards departed this life leaving a widow Elizabeth Baker and issue 7 children viz: John Baker Conard Baker Jacob Baker Samuel Baker jr. Maria Karcher (wife of Charles Karcher) Sarah Nagle (wife of Frederick Nagle) and Sophia B. Griffith (wife of Griffith J. Griffith).

No. 29

1867
February 22

Viewed
Record

LAST WILL AND TESTAMENT of Samuel Baker Sr. wherein and whereby he (inter alia) wills as follows: "3rd, I do here- "by give and bequeath unto my wife Eliza- "beth the house and lot we now occupie on "Passyunk Road near Broad Street in the "Ward and City aforesaid for and during "her natural life." "4th, I give devise and "bequeath unto my said wife for and during "her natural life the income of 24 acres of land situate in the "Twenty-sixth Ward City aforesaid which I bought of the "Eckle family she paying the taxes on the same." "6th, "as to all the rest of my real estate (in which was included "the said residue of the said last above described premises) I "give devise and bequeath unto my children and their heirs "and assigns in equal share except the share of my daughter "Sarah now wife of Frederick Nagle her share I give and "bequeath unto my executors to hold for her during her "natural life and to her heirs and in case she dies without "leaving any lawful issue her share then to be divided among "my heirs in equal share and in case my children desires to "sell the real estate I give them power to do so at any time "after my death and the share of my daughter Sarah I give "my executors power to sell her share by her becoming a "party to the deed and the money arising from the sale of "her share to be invested by my executors and the interest "to be paid to her during her natural life and then to her heirs "and if she die without any issue her share to be divided in "equal share among my heirs."

And of his said Will the testator appointed his sons John Baker and Conrad Baker and son-in-law Griffith Griffith executors.

Duly proved and registered at Philadelphia January 25th, 1868 (and Letters Testamentary granted to said

executors same day) among Wills of 1868, No. 52 and Recorded in Book of Wills No. 61 page 532.

No. 30

The said Maria Karcher afterwards departed this life having first made her last Will and Testament in writing.

No. 31

1869
September 15

Viewed
Record

LAST WILL AND TESTAMENT of Maria Karcher wife of Charles Karcher and one of the children of the said Samuel Baker deceased wherein and whereby she wills as follows: — "As to my estate real and personal of what nature or kind soever and "wheresoever the same may be at the time "of my decease I will and bequeath as follows, to wit, I give devise and bequeath "the one half part thereof unto my beloved husband Charles "Karcher his heirs executors administrators and assigns and "the remaining one half part thereof I will devise and bequeath unto my five children their heirs executors administrators and assigns to be equally divided between them "share and share alike." And of her said Will she appointed her said husband executor.

Duly proved and Registered at Philadelphia October 6th, 1869, among Wills of 1869 No. 512 and Recorded in Book of Wills No. 65 page 446.

No. 32

Oct. 9 1869

Viewed Record

In re Estate of Kate, Mary E., Amanda, Harry and Samuel B. Karcher minors sur petition Daniel M. Karcher appointed Guardian on security being entered in $6000.-

Vide Orphans' Court Docket No. 59 page 439.

No. 33

Viewed Record

At an Orphans' Court for the City and County of Philadelphia held at Philadelphia on the 26th November A. D. 1870 the petition of the said Daniel M. Karcher guardian of the said five minor children was presented to the Judges of the said Court setting forth among other matters that it was proposed by all the children and other parties interested in the real estate late of the said Samuel Baker deceased (including the said tract of land in question) to sell the same at public sale to the highest bidder as the same was unproductive and had employed James A. Freeman as auctioneer to make sale thereof in different parts and parcels according to the description and terms contained in his hand-bills of sale marked Exhibits "A" and "B" annexed to the said petition. That the undivided interest of the said minors was at that time very unprofitable and yielded nothing for the support maintenance and education of the said minors the said petitioner therefore prayed that he might be permitted to expose to public sale the undivided interest of the said five minor children in the said real estate in the said petition mentioned and described as in the said hand bills was set forth at the same time that the said real estate late of the said Samuel Baker deceased was to be offered at public sale by the other parties in interest upon the same terms and in the same manner as they should offer the same

and as was set forth in the said hand bills; the said petitioner adding that he believed it to be for the best interests of the said minors that the same should be sold.

Whereupon the said Court after due consideration granted the prayer of the said petitioner.

No. 34
Viewed
Record

At an Orphans' Court aforesaid held as aforesaid on the 28th of January A. D. 1871, the petition of the said Daniel M. Karcher guardian as aforesaid was presented to the said Court setting forth among other matters that in obedience to the aforesaid order of the said Court he did after having first given due and legal notice of the time and place of sale by advertisements in the public newspapers and hand bills set up on the premises and in other public places of the City of Philadelphia by James A. Freeman auctioneer at the Philadelphia Exchange in the said City (on Wednesday November 30th, 1870) at 12 o'clock M. expose the premises therein described and particularly mentioned and described in the Lithographic plans to the said petition annexed of the real estate of the said Samuel Baker deceased and also in the hand bills to said petition annexed marked respectively "A" "B" "C" and "D" to public sale or vendue at the same time when the whole of the real estate aforesaid was so exposed to sale by the other heirs and devisees of the said Samuel Baker and then and there the whole and entire interests of the said parties interested therein including the petitioners' wards' interest or shares were sold (in lots or parcels to the several purchasers and at the prices) set forth in the tabular statement to the said petition annexed marked exhibit "E" furnished by the said auctioneer and made a part of the said petition (vide the same, next Item, No. 35). That the interest of the said minors in the proceeds of said sales was one moiety of $\frac{1}{7}$ part and amounted accord-

ing to a calculation to $6151.93; the petitioner therefore prayed that the said Court would confirm the said sales so made to the several purchasers in said petition named at the prices affixed respectively to their names they being the highest and best bidders and the prices affixed being the highest and best prices severally bidden for the same.

Whereupon the said Court confirmed the said sales and ordered and directed that security in the sum of $12,303.86 should be entered by the said guardian; which security was accordingly duly entered and approved by the said Court.

No. 35 Viewed Record — Copy of part of James A. Freeman's Return of Sales annexed to and forming part of the said last abstracted Petition and therein referred to as Exhibit "E".

"Estate of Samuel Baker dec'd

"Return of sales of Real Estate made by James A. Freeman, Auctioneer, November 30th, 1870, according to plan." [The plan here referred to is a lithographic plan of the said tract of land in question containing 8 acres 1 rood and 14 perches subdivided into lots and numbered as in the plan facing the title page of this Abstract.]

No. on plan	Amount	Name of purchaser
1 to 12 inclusive	(13 lots) $550.- each	- James Evans 1160 S. Broad St.
13 14 15 27 28 29	as one lot $5800.-	- James Fitzpatrick 1918 Callowhill
16 17 18	- - $500.- each	- James L. Fabian Passyunk Rd. W. of Broad

No. on plan	Amount	Name of purchaser
19 20 21 22 23 -	$850.-	" - John Stinson Moyamensing Av. W. of Broad
24 25 26 - -	280.-	" - James L. Fabian
30 31 32 33 34 5 lots	300.-	" - James Evans
35 to 44 incl. 10 lots	370.-	" - James Evans
45 to 46 incl. 2 lots	250.-	" - Austin Lloyd 1224 Austin St.
47 to 50 inclusive -	220.-	" - James P. Gregory
51 and 52 inclusive	220.-	" - Thomas Meehan 1917 Passyunk Rd.
53 54 55 - -	175.-	" - George A. Twibill 325 S. 21st St.
56 - - -	225.-	- Eli Pohl 1024 Catharine St.
57 to 67 inclusive -	210.-	- Charles McCrea 2111 Pine Street
68 to 72 inclusive -	140.-	" - "
256 to 268 inclusive	110.-	" - "
73 74 75 76 - -	300.-	" - "
77 to 87 - -	250.-	" - "
269 to 293 inclusive	120.-	" - "
98 to 102 running through 230 to 226 as five lots	375.-	" - "
103 to 117 running through 225 to 211 as 15 lots	300.-	" - "
118 to 121 inclusive	150.-	" - "
122 to 125 inclusive running through 231 to 234 inclusive as 4 lots - -	400.-	" - "

No. on plan	Amount	Name of purchaser
125 to 146 inclusive running through 234 to 255 inclusive as 21 lots - -	300.- " -	"
147 - - -	1005.- -	"
148 149 - -	700.- each -	"
150 to 155 - -	610.- " -	Thomas Motley 750 S. Broad
156 to 160 - -	310.- " -	Philip Simon Broad and Reed
161 and 162 - -	330.- " -	Charles McCrea
163 to 166 - -	187.50 " -	"
167 to 176 inclusive	150.- " -	Philip Simon
177 to 186 inclusive	145.- " -	Charles McCrea
187 to 190 - -	240.- " -	"
191 192 193 - -	165.- " -	James Stewart 833 Fitzwater
194 to 199 - -	150.- " -	Charles McCrea
200 to 210 - -	150.- " -	"
88 to 97 10 lots -	250.- " -	"

No. 36
1871
June 7th
Viewed
Record

DEED.- Charles Karcher (after reciting the said last wills of the said Samuel Baker Sr., and Maria Karcher deceased) in consideration of $5,000 to Daniel M. Karcher in fee for all the right title and interest of him the said Charles Karcher being one full equal undivided fourteenth part or share of and in all the estate real and personal whatsoever and wheresoever the same may be of which the said Samuel Baker Sr. died seized and possessed as hereinabove mentioned and also all moneys due and com-

ing to him the said Charles Karcher from any sale or sales of the said real estate heretofore made or hereafter to be made by the devisees of the said Samuel Baker Sr. deceased with a view to the partition of said estate among said devisees and their legal representatives.

Duly executed stamped and acknowledged same day and Recorded September 16th, 1871, in Deed Book J. A. H. No. 181 page 108.

No. 37

Viewed Record

At an Orphans' Court aforesaid held at Philadelphia on the 15th of June A. D. 1871 In re Trust Estate of the said Sarah Nagle on the said executors and trustees petitioning the said Court for leave to receive purchase moneys then and thereafter without security &c. the Court granted leave to them to receive without security.

No. 38

Viewed Record

At an Orphans' Court aforesaid held at Philadelphia the 24th of June A. D. 1871 the said guardian presented another petition to the Judges thereof representing among other matters that since the return and confirmation of the aforesaid sales some of the purchasers for various reasons had declined and refused to take their purchases which made it necessary to sell the same over again. The purchases thus refused were those made by Charles McCrea Thomas Molloy or Motley. He further set forth that the heirs were again going to sell some parts thereof on the 5th of July then next at public sale and he respectfully asked that his report of the sales so refused might as to them be set aside and he be empowered to make another sale on the said 5th proximo of the said minors'

interests in the lots mentioned in the annexed hand bill of James A. Freeman auctioneer marked "A" at the same time that the interests of the major heirs were thus to be exposed to sale and that this order should in effect relate back to the time of the general advertisements made by order of all the heirs interested in the said estate; that the original order and this alias order should be extended to any future sales to be made beyond this present one wherein the heirs aforesaid should join in the contemplated sales so that the best interests of the said minors should be promoted and advanced and a sacrifice of their undivided interests aforesaid by separate sales of lots of ground unimproved saved; and that the lithographic plan annexed to the said original order aforesaid be made and considered a part of said petition.

Whereupon the said Court after due consideration granted an alias order of sale as prayed for.

No. 39

Viewed Record

At an Orphans' Court aforesaid held at Philadelphia on the 8th day of July, 1871, the petition of the said Daniel M. Karcher guardian as aforesaid was presented setting forth that in obedience to the order of the said Court made 24th June, 1871, he did after first giving due and legal notice of the time and place of sale by advertisements in the public newspapers and hand bills set upon the premises and in other places of the said City by James A. Freeman auctioneer at the Philadelphia Exchange in the said City on the 5th instant at 12 o'clock M. expose the premises in said petition described and particularly mentioned and described in the lithographic plan of the said estate and in the hand bill both to the said petition annexed marked respectively "A" and "B" to public sale or vendue at the same time when the whole of the real estate aforesaid was so exposed to sale by the other heirs

and devisees of the said Samuel Baker deceased and then and there the whole and entire interest of the said parties interested therein including the petitioner's wards' interests or shares were sold as follows, viz: as it was set forth in the detailed tabular statement to the said petition annexed and marked exhibit "C" furnished by the said auctioneer and which was made a part of the said petition (vide the same next item No. 40). That the interest of the said minors therein (being 219 lots) was one moiety of a seventh part thereof and amounted by calculation to the sum of $2809.10 The said petitioner therefore prayed that the said Court would confirm the said sales so made to the several purchasers therein as aforesaid named at the several prices affixed to their names respectively they being the highest and best bidders and those being the highest and best prices severally bidden for the same. Whereupon the said Court after due consideration confirmed the said sales and ordered and decreed that the original security as entered by the said guardian (in $12,303.86) should stand [without further security].

No. 40

Viewed Record

Copy of the paper writing annexed to and forming part of the petition last abstracted and therein referred to as exhibit "C" entitled

"ESTATE OF
SAMUEL BAKER DEC'D

Return of sale of real estate made by James A. Freeman auctioneer July 5th, 1871, according to plan annexed."

1 lot No. 57 on plan to Stanton and McGarvey	$220.
1 lot No. 58 " " " "	225.

9 lots Nos. 59 to 67 incl. on plan
to Wm. Clark @ 210 1890.
5 lots Nos. 68 to 72 incl. on plan
to James Fitzpatrick @ 170 850.
1 lot No. 256 on plan to Wm. Clark - - - 120.
12 lots Nos. 257 to 268 incl. on plan
to Wm. Clark @ 100 1200.
1 lot No. 73 on plan to Geo. A. Twibill - - 290.
5 lots Nos. 74 to 78 incl. on plan
to Thos. Williams jr. @ 290 1450.
19 lots Nos. 79 to 97 incl. on plan
to Thos. Williams jr. @ 240 4560.
1 lot No. 269 on plan to Geo. A. Twibill - - 120.
3 lots Nos. 270 to 272 incl. on plan
to Geo. A. Twibill @ 115 345.
2 lots Nos. 273 and 274 on plan
to Geo. A. Twibill @ 110 220.
19 lots Nos. 275 to 293 incl. on plan
to Chas. Clair @ 107.50 2042.50
1 lot No. 98 on plan to Geo. A. Twibill - - 230.
4 lots Nos. 99 to 102 incl. on plan
to Geo. A. Twibill @ 165 660.
6 lots Nos. 103 to 108 incl. on plan
to James Fitzpatrick @ 140 840.
9 lots Nos. 109 to 117 incl. on plan
to Stanton & McGarvey @ 140 1260.
20 lots Nos. 211 to 230 incl. on plan
to Charles McCrea @ 130 2600.
5 lots Nos. 122 to 126 incl. on plan
to Geo. A. Twibill @ 175 875.
5 lots Nos. 127 to 131 incl. on plan
to James F. Lamb @ 155 775.

15 lots Nos. 132 to 146 incl. on plan
to Charles McCrea @ 135 2025.
5 lots Nos. 231 to 235 incl. on plan
to Geo. A. Twibill @ 155 775.
20 lots Nos. 236 to 255 incl. on plan
to Charles Clair @ 140 2800.
1 lot No. 147 on plan to A. Simes - - - 1025.
2 lots Nos. 148 and 149 on plan
to Charles McCrea @ 700 1400.
3 lots Nos. 150 - 151 - 152 on plan
to Henry Lafferty @ 625 1875.
3 lots Nos. 153 - 154 - 155 on plan
to Charles McCrea @ 575 1725.
2 lots Nos. 161 and 162 on plan
to Charles McCrea @ 320 640.
4 lots Nos. 163 to 166 incl. on plan
to Wm. Oldfield @ 190 760.
10 lots Nos. 177 to 186 incl. on plan
to Peter Sheets @ 155 1550.
4 lots Nos. 187 to 190 incl. on plan
to H. J. Sweeney @ 190 760.
5 lots Nos. 194 to 198 incl. on plan
to Daniel Kelly @ 160 800.
12 lots Nos. 199 to 210 incl. on plan
to Charles McCrea @ 150 1800.
4 lots Nos. 118 to 121 incl. on plan
to James F. Lamb @ 155 620.
219 lots sold for - - - - - - $39327.50

As to items Nos. 33 - 34 - 35 - 37 - 38 - 39 - 40 vide the original papers on file in the Orphans' Court of November, 1870, No. 185, and Orphans' Court Docket No. 60 page 510.

No. 41

1871
November 20

Produced
and
Examined

DEED POLL OR RELEASE.—Under the hand and seal of Elizabeth Baker widow of Samuel Baker deceased after reciting that having had full provision made her by the heirs of the said deceased according to her agreement in writing with them in consideration of the premises and of $1.- she releases and forever quit claims unto the children heirs and representatives of the said deceased their respective heirs and assigns and to their several and respective alienees their heirs and assigns all her right title dower interest property claim and demand of whatever nature character or kind that she then had theretofore had or might have or in any wise could have as the widow of the said deceased Samuel Baker of in and to the lands tenements ground rents real estate and hereditaments which were of the said Samuel Baker at and immediately before the time of his decease wheresoever situate and particularly in the City and County of Philadelphia so that she the said Elizabeth Baker her executors and administrators should be forever debarred from any interest whatever therein.

Duly executed and acknowledged same day and Recorded December 10th, 1872, in Deed Book F. T. W. No. 10 page 194.

From the records and papers produced: abstracted by

ALBERT G. STOUT
"Penn Building"
No. 430 Walnut Street, Philadelphia.

May, 1873.

3 3 4 5 108

Brief of Title

TO

THIRTY-ONE LOTS

Or Pieces of Ground, with the Buildings thereon erected; situate on the South West side of Chew Street, and North West and South East sides of Woodbine Avenue,

IN THE TWENTY-SECOND WARD,

OF THE CITY OF PHILADELPHIA.

BELONGING TO

WILLIAM T. B. ROBERTS.

PHILADELPHIA.
SAMUEL P. TOWN, STATIONER & PRINTER,
402 LIBRARY STREET.

Brief of Title

TO

All those certain thirty-one lots or pieces of ground
uate on the south-west side of Chew street and
rth-west and south-east sides of Woodbine Avenue
the 22d Ward, of the city of Philadelphia, as de-
eated on Plan No. 3, hereto annexed.

BELONGING TO

WILLIAM T. B. ROBERTS.

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leed.—Humphrey Edwards, to Dirk Jansen and John :den, in fee, for one hundred acres of land, in the in- ited parts of Germantown, being 2 Germantown lots. 1708. Nov., 26, Exd. Record.

Recorded in Deed Book E, 4, vol. 7, p. 267, &c.

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leed Poll.—Derick Janson, to John Doeden, in fee, for all share or moiety of, in and to said 100 acres of land. 1709-10. Feb., 27, Exd. Record.

Recorded in Deed Book E, 6, vol. 7, p. 117, &c.

1719. Nov., 24, Exd. Record.

Deed Poll.—John Doeden and wife, to Christopher Witt in fee, inter alia, for all that certain tract or piece of land situate and lying in the German Township, in the inhabited part of the said town. Beginning at a corner post; dividing it from the lot formerly of Isac Scheffer, thence by the same north-east 60 perches, thence east-south-east 43½ perches to a corner post of the three acres of meadow ground formerly sold by John Doeden unto John Jenits, thence east 2 perches and 13 foot to another corner post, thence north east 26 perches to a corner Beach oak sappling, thence north 25° westerly 23 perches and 2 foot to a corner post, thence west 12° southward 10 perches to a corner post, thence south 36 perches to a corner post, thence west-north-west 43½ perches, (which courses are around the aforesaid 3 acres of meadow,) thence north-west by the aforesaid lot of Isac Scheffer, 430 perches to a corner post, in the line of Bristol Township, thence by the said line south by west 75 perches to a corner post, thence by lot of James Deleplaine, south west 349 perches to a corner post, thence by the land of John Charles Greiss, north-west 14 perches and 4 feet thence by the same, south-west 80 perches to a corner post in the street of the above said Germantown, thence along the said street 28 perches and 11 feet to the place of beginning containing 101 acres and 1-4th of an acre be the same more or less.

Duly executed.

Proven July 28, 1739. Recorded July 31, 1739, in Deed Book G, vol. 2, p. 105, &c.

1720. May, 21, Exd. Record.

Deed.—Christopher Witt to Christian Warner, in fee, inter alia, for the tract of land above described.

Duly executed.

Acknowledged May 10, 1739. Recorded June 19, 1739, in Deed Book G, vol. 2, p. 3, &c.

Will of the said Christian Warner: 1728. April, 26, Exd. Record.

Wherein and whereby after giving unto his wife, Christiana, ll his estate real, personal and mixed for and during her atural life, he did will in the words following, to wit: "And as concerning all that my messuage or tenement and 120 (more or less) acres of land thereunto belonging, situate in Germantown, with the appurtenances being the same that is now in the possession of my son George, I give and devise the same unto my son George and his heirs and assigns forever to commence from and immediately after the determination of my said wife's estate for life aforesaid."

Duly executed.

Proven May 10, 1731. Registered at Philadelphia. Recorded in Will Book E, p. 156, &c.

Deed Poll.—George Warner and wife, to James Logan, in ee, for all that messuage lot and land in Germantown, beginning at a stone at a corner of Blasius Daniel Mackinet's land n the north-east side of Germantown street and extending long by the said north-east side of the same 21 perches and feet to a corner of Godfrey Lehman's land, and thence by ne same Godfrey's land 18½ perches to another corner of the ame, thence north 21° west 5 perches and 7 feet to another orner of the same land, thence by the lands of Paul Kripner nd Paltzer Trout, north-east 458 perches to a corner post in ne line of Bristol Township, thence by the said line 75 erches to another post in the said line, thence by the land f the said Blasius Daniel Mackinet, south-west 374 perches another corner of the said Mackinet's land, [thence north perches and 12 feet to a corner of the fenced piece of neadow ground of 3 acres which John Doeden sold to John enitt, thence east 2 perches 13 feet to another corner of the ame meadow ground, thence north-east 26 perches to a third orner, thence north 25° west 23 perches and 2 feet to a urth corner, thence west 12° south 10 perches to a fifth

1741. March, 31. Exd Rec rd.

corner, thence south 40 perches and 13 feet to the aforesa
corner of Blasius Daniel Mackinet's land]. The last s
mentioned courses enclosed within the crotchets being only
describe and leave out the said 3 acres of meadow, and nc
to return to the description and then proceeding from t
said last mentioned corner of Blasius Daniel Mackinet's la
north 62½° west by the said land 18 perches and 4 feet
another corner of the same and from thence by the sar
land south-west 90½ perches to the place of beginning co
taining 105 acres of land.

See plan No. 1

Duly executed.
Acknowledged May 25, 1741. Recorded May 2
1741, in Deed Book G, vol. 2, p. 354, &c.

1749.
Nov., 25,
Exd. Record.

Will of the said James Logan:

Wherein and whereby after sundry devises and beques
not affecting the tract of land in question, he did will in t
words following, to wit: "I devise further to my said wi
"(Sarah Logan,) all that messuage and tenement in ye fro
"street in Germantown, containing in the said front upwa
"of 300 feet and enlarging backwards so as to contain f
"100 acres of land, purchased by me of George Warner."

Duly executed.
Proven May 1, 1752. Registered at Philadelphi
Recorded in Will Book I, p. 510, &c.

1754.
8th of 4th mo.
Exd. Record.

Will of the said Sarah Logan:

Wherein and whereby after devising unto her gran
daughters Mary and Sarah Norris, a certain tract of 1
acres of land, she did will in the words following, to wi
"I give to my said daughter, (Hannah Smith), one half
"those two tracts of land adjoining each other situate

ermantown, aforesaid, one of which containing 100 acres ore or less my late husband purchased of George Warner d the other purchased of Daniel B. Mackanat, to hold her my said daughter, her heirs and assigns forever. lso I give to my two sons, (William Logan and James ogan), the remainder of two tracts of land in German- wn, not before given to be equally divided between them. hold to them their heirs and assigns forever."

Duly executed.

Proven July 27, 1754. Registered at Philadelphia. Recorded in Will Book K, p. 186, &c.

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eed.—William Logan and wife and James Logan to John th, in fee, for all their moiety remainder and estate of in their said late mother Sarah Logan's aforesaid tract 05 acres, inter alia. 1755. May, 15, Exd. Record.

Duly executed.

Acknowledged May 18, 1763. Recorded July 18, 1763, in Deed Book H, vol. 16, p. 446, &c.

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eed.—John Smith and Hannah his wife, (formerly Han- Logan,) to Moses Hall, in fee, for a certain stone mes- ge or tenement and plantation or tract of land thereunto nging, situate on the north-easterly side of Germantown, n street, in Germantown, aforesaid and beginning at a ner of land now or late of Godfrey Lehman by the said of the said Main street, thence by the said Lehman's north 44° east 18½ perches to a corner of the same, and nce north 21° west 5 perches and 7 feet to another corner he same land, thence partly by land of Paul Kripner and ly by land late of Baltzer Trout, north-east 458 perches e or less to a corner post in the line of Bristol Township, nce by the said Township line dividing this from Luckens' south by west (so called 5½° west 125 perches to a cor- 1756. Oct., 12, Exd. Record.

ner stake standing three tenths of a perch beyond a s
marked hickory near a black oak in Bristol Township
thence by land now or late of Paul Krepner or Henry
Aken south 44½° west 41 perches to a corner stone, th
still continuing by the said VanAken or Kripner's
(formerly though erroneously called Lucken's land,) s
45½° east 14 perches and 4 feet to a stone a corner by
side of Luckens' mill road (leading to York road so cal
thence by the north-westerly side of the said mill
dividing this from land of Benjamin Shoemaker, south
west 54 perches to a corner stake by the same mill
being also a corner of certain 20 acres heretofore mentic
namely: 10 acres whereof devised and the other 10 a
thereof verbally given and also intended to be devised by
said Sarah Logan to her said two grand-daughters Sarah
Mary Norris, as aforesaid (and which said twenty acres
now laid out in the very spot which the said Testatrix
verbally describe to the said John Smith, party to t
presents), thence by the said 20 acres north 47 deg
west 43 and six tenths perches (so called) 42 perches an
feet to a corner stake in the line of the above said 105 a
tract, thence by the same line south-west 184 perches (pa
viz: 75 perches by the said 20 acres piece and the remair
by land late of Israel Pemberton, Jr., also lately grante
the said Moses Hall,) to a corner of land in the tenure of
said Blasius Daniel Mackinet, thence by the said Mackir
land north, 62½ degrees west, 18 perches and 4 fee
another corner of the same, and thence by the same
south-west 55¼ perches to a corner, a stake, (being 580
north-eastward distance from Germantown, Main str
standing in the said Mackinet's line being a corner of a
of land of the said John Smith (part of the said 105 a
tract,) thence by the said John Smith's lot north 69° w
110 feet to a corner stake, thence by the same land so
west (parallel with the said Mackinet's line,) 530 feet t
corner stone by the said Germantown, Main street, (wh
same corner is to be exactly 100 feet distance, along the s
Main street, from the corner of the said Mackinet's la
lying contiguous to the south-east side of the said Jo

's lot,) thence by the said Main street, on the north-
ly side of the same, north 38½° west, 15 perches and 3
or thereabouts, to the said place of beginning; con-
g by computation 130 acres and 110 perches of land, See plan No. 1
e same more or less, within the said described limits as
rs by a plan or draught thereof, thereunder drawn
t 104 acres whereof being the north-westerly and
er part of the whole, are part of the above recited 105
tract.

Duly executed.
Duly acknowledged September 26, 1757, and recorded Jan. 9, 1757, at Philadelphia, in Deed Book H, vol. 8, p. 53, &c.

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d,—Moses Hall and Anne his wife, to John Bringhurst, 1763. January, 31, Exd. Record.
, for a certain piece or tract of land, situate in the said
antown; beginning at a stake corner in the late Daniel
inet's formerly Nicholas Deleplain's, now John Gardi-
line, (standing near one perch north-eastward distant
the natural course of a couple of springs,) being also a
r of land intended to be granted to Henry Kreear,
e by the said Henry Kreear's land and crossing the said
course (yet so as to leave the head of the south-west-
ost of the said springs on the land hereby granted,
-west 42 perches and 12 feet to a stake, a corner of this
f the said Kreear's land, in the late Jeremiah's and
Baltzer Trout's now Dewald Boyer's line, thence by the
ctive lands of the said Dewald Boyer, of Jacob Trout,
njamin Engle, deceased, and of Jeremiah Trout, south-
extending 80 perches to another stake, a corner in the
t's (ancient aforesaid) line, being also a corner of a lot of
intended to be granted to George Bringhurst, thence by
aid George Bringhurst's land south-east 41 perches to a
, another corner of this and of the said George Bring-
's land, thence further by the said George Bringhurst's
south-west 4⅔ perches to a stake, a corner in the said

George Bringhurst's line, joining to a certain open by- (private) road 1¾ perches wide, thence along the said open l road, extending south-east, 28 feet and 6 inches to a stone, corner of this and of Mary and Sarah Norris, 20 acres tra thence by said 20 acres tract and partly by the said John Gar ner's land, being the said late Deleplain's line, also forme George Warner's line, extending north-east 84⅔ perches the place of beginning; containing by computation 21 ac and 65 perches of land, be the same more or less, within t said limits. Being a part of the said large tract of 130 ac and 110 perches of land.

See plans No. 1 & 2.

Duly executed.

Acknowledged Febr'y 1, 1763. Recorded Sept. 1 1800, in Deed Book E. F, No. 4, p. 221, &c.

1776. March, 4, Fxd. Record

Deed.—John Bringhurst and wife, to Jane Groves, in fe for the tract last above described with four others whi are delineated on plan No. 2, hereto annexed.

Duly executed and acknowledged same day. Record April 29. 1776, in Deed Book I, No. 15, p. 310, &c.

1779. Eeby., 3, Exd. Record.

Deed.—Jane Groves to George Kennedy, in fee, inter ali for the said tract last above described.

Duly executed.

Acknowledged December 10, 1779. Recorded Sep 10, 1800, in Deed book E. F, No. 4, page 227, &c.

1779. Dec., 10, Exd. Record.

Deed.—George Kennedy and wife, to Blair Macclenacha in fee, inter alia, for the tract last above described.

Duly executed.

Acknowledged same day. Recorded September 1 1800, in Deed Book E. F, No. 4, p. 230, &c.

Deed.—Blair Macclenachan and wife, to Philip Moore, in inter alia, for the same tract. 1780. March, 14, Exd. Record.

Duly executed.
Acknowledged same day. Recorded September 10, 1800, in Deed Book E. F, No. 4, p 234, &c.

Deed.—Philip Moore and wife, to William McMurtrie, in inter alia, for the same tract. 1781. June, 4, Exd. Record.

Duly executed.
Acknowledged Oct. 30, 1781. Recorded January 23, 1782, in Deed Book D, No. 4, p. 4, &c.

Deed Poll.—Endorsed on the last above recited indenture, ler the hand and seal of William McMurtrie, granting to vid Bloid, in fee, inter alia, the said tract of land last ve described. 1781. June. 4, Exd. Record.

Duly executed.
Acknowledged October 30, 1781. Recorded January 23, 1782, in Deed Book D, No. 4, p. 7, &c., and re-recorded March 28, 1855, in Deed Book R. D. W, No. 11, p. 558, &c.

The said David Bloid being seised in his demesne as of fee and in said tract departed this life, having first made and lished his last will and testament in writing. Recited in next deed.

Will of the said David Bloid : 1791. June, 2, Exd. Record.

Wherein and whereby after providing for the payment of just debts, he did will as follows : "I give, devise and bequeath all the rest residue and remainder of my estate,

"real and personal, whatsoever and wheresoever unto
"beloved wife, Margaret Bloid, her heirs or executors,
"ministrators and assigns forever."

Duly executed.
Proven June 14, 1791,. Registered at Philadelp
Recorded in Will Book W, p. 137, &c.

Recited. The said Margaret Bloid, also afterwards departed
life, seised in her demesne as of fee, of and in the said pre
ses, having first made and published her last will and te
ment in writing.

1821.
April, 15,
Exd. Record.

Will of the said Margaret Bloyd:

Wherein and whereby, she did will in the words follow
to wit: "I give and devise unto Joseph Wright, brothe
"law of my niece Margaret Boyer, all my tenements, pla
"tions, land and premises where I now dwell, with all
"singular, the appurtenances thereto belonging, to hol
"him the said Joseph Wright, his heirs and assigns in t
"only, that the said Joseph Wright, his heirs and ass
"shall and do permit and suffer my niece Margaret Bo
"late Wilson, who I adopted as my child to have and e
"the said tenements, land and premises with the appu
"nances, and receive the issues and profits thereof into
"own hands for her sole and separate use only, during all
"term of her natural life, without being subject to the
"trol of her husband nor be in any way or manner what
"liable for any of the debts, contracts or engagements of
"husband and immediately from and after the determina
"of that estate by the decease of her, the said Margaret
"hold all the said tenements, land and premises, with
"appurtenances in trust for the use of all the children of
"the said Margaret, that shall be then living, and the la
"issue of such of them as shall be then deceased, their
"spective heirs and assigns in equal parts as tenants in c

ion sohowever that such issue take and receive such part nd share only as his, her or their deceased parent might ave had and taken if then living."

Duly executed.

Proven April 23, 1821. Registered at Philadelphia. Recorded in Will Book No. 7, p. 291, &c.

The said Joseph Wright, aforesaid, departed this life on 29th day of October A. D. 1823. Recited in C. P. proceedings.

At a Court of Common Pleas for the city and county of ladelphia, held at Philadelphia, the said Margaret Boyer ether witn all her children, presented her petition setting h among other things that at the time of the making of said will of Margaret Bloyd, the said Joseph Wright was esident of the county of Philadelphia, and that he also erwards departed this life on the 29th day of October, D. 1823, never having accepted or acted under the said st, contained in said will, that the said petitioners were irous that a new Trustee should be appointed in the place the said Joseph Wright, deceased, and praying the said rt to appoint James S. Boyer trustee without security in place and stead, with the same powers and authority that e vested in him in and by the said will.

Whereupon the said Court granted the prayer of the said ition and appointed the said James S. Boyer Trustee, as yed for. 1856. April, 17, Exd. Record.

Vide Minute Book I. G. G, No. 16, pages 8 & 410, &c.

At an Orphan's Court for the city and county of Philaohia, held at Philadelphia, the petition of the said James Boyer, Trustee, as aforesaid was presented reciting: The ve recited deed from William McMurtrie for the tract above described, inter alia, to the said David Bloyd, also 1856. April, 18, Exd. Record.

the wills of David Bloyd and Margaret Bloyd; and the f
going recited petition of Margaret Boyer and children,
the appointment of the said James S. Boyer, Trustee,
aforesaid, and setting forth that in and by the last rec
last will, the said tract of land above described, inter a
was devised to the said Joseph Wright in trust for the
Margaret Boyer for her life, with remainder for her child
their heirs and assigns, and that in and by said will the
Joseph Wright had no power or authority to grant, barg
and sell the said premises or to execute any conveyance
the same, that by the appointment as aforesaid of the
Petitioner as Trustee in the place and stead of Jos
Wright, deceased, with the same power and authorities th
was given and conferred no additional power and autho
beyond that which was by the said last mentioned will gi
to and vested in the said Joseph Wright, deceased, and t
therefore the said Petitioner had no power and authority
grant, bargain and sell the said premises, or to execute
conveyance of the same.

That the said Margaret Boyer and her children, to wit: Ja
S. Boyer, John W. Boyer, Anna B. Lawrence, (form
Anna Boyer), Catharine Roop, (formerly Catharine Boy
Margaret Peck, (formerly Margaret Boyer,) Rebecca Bock
(formerly Rebecca Boyer,) and Jennetta Bockius, (form
Jennetta Boyer,) each of the age of 21 years, and upwa
being the only issue the said Margaret Boyer ever had or in
human probability ever would have, she being then upward
70 years of age; believing that that time was the most a
sable and advantageous time for the sale and disposal of
same and that it would be to the interest, benefit and advant
of all concerned, that the same might be then sold and disp
of were then willing and desirous that the said five tract
land might be sold at public sale or vendue, and that a good
sufficient deed or deeds of conveyance might be made and
cuted therefor to the purchaser or purchasers thereof, wh
said willingness and disposition were shown and expressed
their written consent attached to the said Petition.

And the said Petitioner therefore prayed the said Co
to sell and dispose of the said premises, inter alia, at pu

e or vendue, and also for the purpose of barring and de-
ting any contingent remainders contained and set forth in
said last will of Margaret Bloyd, deceased, or the right
the commonwealth, to have any estate therein, to sign,
l, execute, acknowledge and deliver a good and sufficient
ed or conveyance therefor unto the purchaser or purchasers
reof, his, her or their heirs and assigns in conformity with
provisions and by and with the force and virtue of the
vers and authorities provided for and set forth in an act of
embly, passed 18th day of April, A. D. 1853, entitled,
n act relating to the sale and conveyance of Real Estate."
Whereupon the said Court ordered, adjudged and decreed,
t the said James S. Boyer, Trustee as aforesaid, should
e and enter security in the sum of $160.000 and approved
John W. Boyer, Abraham R. and Samuel F. Bockius as
urities; and afterwards to wit: on the same day, the
d Court further ordered, adjudged and decreed that the
d James S. Boyer, Trnstee, as aforesaid, sell and dispose of
e said premises, inter alia, with the appurtenances, at pub-
sale or vendue to the highest and best bidder, and for the
ghest and best price entirely for cash, after full advertise-
nt of the time and place of sale for at least 20 days by
nd-bills posted in at least 20 of the most public places in
e consolidated city of Philadelphia, and in at least two
wspapers thereof, not less than three times in each,
reeably to the provisions of the act of assembly in such
se made and provided.

Vide O. C. Docket No. 46, p. 492, &c.

1856.
June, 20,
Examined.

At an Orphans' Court aforesaid, held as aforesaid the said
mes S. Boyer, Trustee as aforesaid, presented his petition
tting forth that in compliance with the provisions of the
cree made as aforesaid on the 18th day of April, A. D.
56, he had exposed the said tract of land last above de-
ribed with the other tracts of land, with the appurtenances,
sale by Public Vendue on Wednesday, the 28th day of
ay, A. D. 1856, at 8 o'clock in the evening, at the Phila-

delphia Exchange, in the said city, and then and there s
the same together as one farm of 66 acres and 2 perches
land, with the appurtenances entirely for cash, to Edmu
Bockius of the city of Philadelphia, Saddler, for the price
sum of $67.000, he being the highest and best bidder, a
that the highest and best price bidden for the same; a
praying the said Court to ratify and confirm the said sale
as aforesaid, made to the said Edmund Bockius, his heirs a
assigns.

Whereupon the said Court confirmed said sale and order
the same to be and remain firm and stable unto the s
Edmund Bockius, his heirs and assigns, and also ordere
adjudged and decreed, that the said James S. Boyer, Trust
as aforesaid, should give and enter security in the sum
$134.000, and that John W. Boyer, Abraham R. Bocki
and Samuel F. Bockius should be approved as security
the said James S. Boyer, Trustee; the said security bei
entered, the said Court ordered and decreed that the s
Trustee should sign, seal, execute, acknowledge and deliv
a good and sufficient deed of conveyance therefor, unto t
said Edmund Bockius, his heirs and assigns in conformi
with the provisions of an act of assembly passed the 18
day of April, A. D. 1853, entitled, "An Act relating
sale and conveyance of Real Estate."

Vide O. C. Docket, No. 46, p. 618, &c.

1856. July, 18, Exd. Record.

Sold May, 28, 1856.

Deed.—James S. Boyer, Trustee, as aforesaid to Edmu
Bockius reciting the above recited deed from William M
Murtrie to David Bloid, his death and will and the death a
will of said Margaret Bloyd, the death of said Truste
Joseph Wright and the above recited Orphans' Court pr
ceedings and granting and conveying (in pursuance and
virtue of the said power and authority in him vested by t

l order of the Orphans' Court) unto the said Edmund kius, his heirs and assigns the tract or piece of land last ve described, (inter alia).

Duly executed.

Acknowledged July 18, 1856. Recorded Sept. 30, 1856, in Deed Book R. D. W, No. 95, p. 436, &c.

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leed.—Edmund Bockius and wife, to James S. Boyer, 1856. July, 19, Exd. Record.
n W. Boyer, Anna B. Lawrence, (wife of Samuel Law-ce,) Catharine Roop, (wife of James Roop,) Margaret k, (wife of Daniel Lewis Peck,) Rebecca Bockius,(wife of raham R. Bockius,) and Jennetta Bockius, (wife of Samuel Bockius), in fee, for all that certain tract or piece of land iate, lying and being in Germantown, in the 22d ward of city of Philadelphia, on the north-westerly side of "Mill eet," beginning at a stake set for a corner of this and er ground of the said Edmund Bockius, intended to be s day granted to James S. Boyer and John W. Boyer, in st, thence extending along the centre of Chew street, as l out and intended to be opened, north-westerly 1431 feet nches to the line of land belonging to John S. Haines, nce with the said line south-westerly 972 feet 3 inches re or less to a corner, thence with the line of land belong- to the estate of Reuben Haines, deceased, south-eastwardly 2 feet 6 inches to a corner and still with the same south-sterly 77 feet more or less to a corner by the side of a vate road or lane, (commonly called Cedar Lane) leading o the said Mill Street; thence along the same south-stwardly 739 feet 2 inches to the side of Mill street afore-d, thence along the same north-eastwardly 1045 feet 6 hes to the place of beginning; containing according to a ent survey made by Robert Thomas, 33 acres and 30 iare perches of land, be the same more or less, which said ct includes the whole of the tract of 21 acres and 65 ches last above described.

Duly executed.

Acknowledged same day. Recorded September 30, 1856, in Deed Book R. D. W, No. 95, p. 488, &c.

1856. July, 19, **Deed Poll.**--Under the hands and seals of Margaret Boyer a children acknowledging that they had received from Jan S. Boyer Trustee, the sum of $42004 the full considerat money for the above mentioned tract of land.

Proved by subscribing witness Aug. 12, 1856. Reco ed Sep. 30, 1856, in Deed Book R. D. W, p. 391, &

1856. Aug., 13, Exd. Record, **Deed.**—Daniel Lewis Peck and Margaret his wife, to Ab ham R. Bockius and Samuel F. Bockius, in fee, for all th one full equal undivided one seventh part share or port (the whole into seven full equal parts, shares or portions to divided,) of and in the tract or piece of land containing acres and 30 square perches last above described.

Duly executed.
Acknowledged same day. Recorded Sept. 9, 18 in Deed Book R. D. W, No. 95, p. 156, &c.

1856. Sept., 1, Exd. Record. **Deed.**—James Roop and Catharine his wife, to John Boyer, in fee, for all their one full equal undivided one s enth part, share or portion (the whole into seven full eq parts, shares or portions to be divided,) of and in s premises.

Duly executed.
Acknowledged same day. Recorded Sept. 9, 1856 Deed Book R. D. W, No. 95, p. 158, &c.

1856. Sept., 4, Exd. Record. **Deed.**—James S. Boyer and wife, John W. Boyer and w and Samuel Lawrence and Anna B. his wife, to Abraham Bockius and Samuel F. Bockius, in fee, for all those th four full equal undivided one seventh parts, shares or porti of and in inter alia, all those certain lots or pieces of grou

rked and numbered 21, 31, 32, 33 and 34, on the plan of Boyer estate, they being contiguous. Beginning at the ner of Armat street and Chew street, thence extending ng north-west side of Armat street south-westwardly 100 t, thence at right angles therewith north-westwardly 350 t 10 inches, thence south-westwardly 300 feet, thence at ht angles to Armat street north-westwardly 345 feet to south-east side of Chelton avenue, thence along the same th-eastwardly 403 feet to the south-west side of Chew eet, thence along the same sonth-eastwardly 695 feet 10 hes to the place of beginning. Subject to certain restrics as to buildings to be erected thereon, which restrictions e only to remain in force till April 1, 1867.

Duly Executed.

Acknowledged same day. Recorded Sept. 9, 1856, in Deed Book R. D. W, No. 95, p. 148, &c.

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leed.—James S. Boyer and wife, John W. Boyer and wife, nuel Lawrence and Anna B. his wife, Abraham R. Bock- and Rebecca his wife, Samuel F. Bockius and Jennetta wife to Robert Thomas, in fee, for all those six certain lots pieces of ground situate in Germantown, marked and nbered on a certain plan of parts of the Boyer Estate 12, 22, 29, 42 and 43. Beginning for lot number Twenty- on the north-west side of Armat street, at the distance 100 feet from the south-west side of Chew street, con- ning in front or breadth on the said Armat street 100 feet l in length or depth that width between parallel lines at ht angles therewith north-westwardly 350 feet 10 inches.

1856. September 4, Exd. Record.

Duly executed.

Acknowledged same day. Recorded July 6, 1857, in Deed Book R. D. W, No. 133, p. 440, &c.

Deed Poll or Declaration of Trust, endorsed on the last ve recited indenture under the hand and seal of said bert Thomas, wherein after reciting the said recited con-

1857. Jany., 20, Exd. Record.

veyance to him he did acknowledge and declare that h name in the said indenture was used only in trust for th therein named James S. Boyer, John W. Boyer, Samu Lawrence, Abraham R. Bockius and Samuel F. Bockius, the executors, administrators and assigns and that he and h heirs should and would convey the said six lots or pieces ground either as a whole or in parts to such person or pe sons as they the said parties for whom he held the same i trust might from time to time direct.

Duly executed.

Acknowledged January 22, 1857. Recorded July 1857, in Deed Book R. D. W, No. 133, p. 443, &c.

1857. July, 3, Exd. Record.

Deed—Robert Thomas, Trustee, as aforesaid to Abraha R. Bockius and Samuel F. Bockius, wherein after recitin the above recited conveyance to him and the said declaratio of trust made by him, he did grant and convey (by virtue the direction of the said parties named in said declaration trust expressed by three of them signing as witnesses to th said indenture) unto said Abraham R. Bockius and Samuel Bockius, in fee, all that certain lot or piece of ground situat in Germantown, aforesaid, marked and designated in said ma or plan of the Boyer Estate "No. 22" on the north-west sid of Armat street, at the distance of 100 feet from the soutl west side of Chew street; containing in front or breadth o said Armat street 100 feet and extending in length or dept of that width between parallel lines at right angles therewit north-westwardly 350 feet 10 inches. Bounded on the north east and north-west by other ground of said Abraham R. an Samuel F. Bockius, on the south-west by ground of James Boyer and on the south-east by Armat street, free clear an discharged of the trust above recited.

Duly executed.

Acknowledged same day. Recorded January 1 1859, in Deed Book A. D. B, No. 49, p. 380, &c.

Deed.—Abraham R. Bockius and Rebecca his wife and Samuel F. Bockius and Jennetta his wife to James R. Gates, in fee for all that certain lot or piece of ground situate on the south-westerly side of Chew street in the 22d ward of the city of Philadelphia. Beginning on the side of the said Chew street, at the distance of 200 feet, south-easterly from the south-east side of Chelton avenue; containing in front or breadth on the said Chew street 100 feet and extending in length or depth of that width between parallel lines in a south-westerly direction on the north-westerly line thereof 302 feet and 14-100ths of a foot and on the south-easterly line thereof 301 feet and 7-10ths of a foot. Bounded on the south-east and north-west by other ground about to be conveyed by the said grantors to the said James R. Gates on ground rent on the south-west by other ground of the grantors and on the north-east by Chew street aforesaid.

Reserving thereout unto the said Abraham R. Bockius and Samuel F. Bockius, a certain yearly ground rent or sum of $72 in every year thereafter forever on the 1st day of April and October.

1859. Jany., 15, Prod. & Exd.

Duly executed.

Acknowledged same day. Recorded Jan. 18, 1859, in Deed Book A. D. B, No. 49, p. 399, &c.

Deed.—Abraham R. Bockius and Rebecca his wife and Samuel F. Bockius and Jennetta his wife to James R. Gates, in fee for all that certain lot or piece of ground situate on the south-westerly side of Chew street in the 22d ward of the city of Philadelphia. Beginning on the side of the said Chew street at the distance of 300 feet south-easterly from the south-east side of Chelton avenue, thence by other ground about to be conveyed by the said grantors to the said James R. Gates, on ground rent, south 42° and 12′ west 301 feet and 7-10ths of a foot to a corner, thence by other ground of the said grantors, south 47° and 25′ east 45 feet to a corner, thence by ground of James S. Boyer, north 42° and 12′ east

1859, Jany., 15, Prod. & Exd.

100 feet to a corner, thence still by the same south 47° 25′ east 55 feet to a corner, thence by other ground of said grantors north 42° and 12′ east 201 feet and 27-100 of a foot to the side of the said Chew street, thence along same north 47° and 25′ west 100 feet to the place beginning.

Reserving thereout unto the said Abraham R. Bockius & Samuel F. Bockius a certain yearly ground rent or sum of $72 in each and every year forever, payable on the 1st of April and October.

Duly executed.

Acknowledged same day. Recorded Jan. 18, 1859. Deed Book A. D. B, No. 49, p, 394, &c.

1866. Nov., 3, Cons. $1,000, Stamp $1, Prod. & Exd.

Deed.—James R. Gates to Joseph Handsberry and Charles Eberle, in fee for the lot or piece of ground first above described.

Subject to said yearly ground rent or sum of $72.

Duly executed.

Acknowledged same day. Recorded November 1 1866, in Deed Book L. R. B, No. 222, p. 227, &c.

1866. Nov., 3, Cons. $1,000, Stamp $1, Prod.& Exd.

Deed.—James R. Gates to Joseph Handsberry and Charles Eberle, in fee for the lot or piece of ground second above described.

Subject to said yearly ground rent of $72.

Duly executed.

Acknowledged same day. Recorded November 13 1866, in Deed Book L. R. B, No. 222, p. 245, &c.

leed.—Joseph Handsberry and wife and Charles L. Eberle wife to Gordon McNeil, in fee (inter alia) for the two or pieces of ground last above described. 1870. March. 2, Cons. $13,500 Stamp $13,50 Prod. & Exd.

ubject as respects each of said lots of ground to the pay-
t of said yearly ground rent or sum of $72 when and as
same should thereafter respectively become due and payable.

Duly executed.

Acknowledged same day. Recorded March 8, 1870, in Deed Book J. A. H, No. 20, p. 461, &c.

AGREEMENT between Gordon McNeil of the first part, liam F. Amey of the second part and William T. B. Roberts the third part. Whereby the said Gordon McNeil agreed ell to the said William T. B. Roberts his heirs and assigns r of all incumbrance, All that certain lot or piece of und situate on the south-west side of Chew street, as de-ated and shown on plan "No. 3" hereto annexed, des-ed according to a recent survey thereof made by Jesse htfoot, as follows, to wit: Beginning at a point on the h-west side of Chew street at the distance of 200 feet h-eastwardly from the south-east side of Chelton avenue, the 22d ward of the said city of Philadelphia; thence ending south-westwardly on a line parallel with said lton avenue 302 feet and 1-4th of an inch to a point in of ground now or late of Thomas A. Andrews, thence h-eastwardly along the same 144 feet to a point in land Mrs. Cox, thence extending along the same and through bed of Woodbine avenue hereinafter more particularly tioned, north-eastwardly on a line parallel with Locust nue 100 feet to a point, thence south-eastwardly still along Cox's ground and the said Woodbine avenue 55 feet to a t in line of land now or late of Alfred C. Harmer and nce north-eastwardly along the same on a line parallel h Locust avenue 201 feet $2\frac{1}{4}$ inches to said south-west side said Chew street, thence north-westwardly along said h-west side of said Chew street, crossing said Woodbine nue 200 feet to the first mentioned point and place of be-ning. The said lot of ground includes part of the soil of odbine avenue, a new street 50 feet wide intended to be 1874. March, 12, Prod. & Exd.

formally laid out on the plan of the city of Philadelphia and for a public highway as shown on said plan. The lot of ground to be subdivided into 31 smaller lots and th alleys each 3 feet wide as shown and numbered from one thirty-one on said plan. The price for said large lot ground being $14,000.

The said William T. B. Roberts thereby agreed to erect each of the said lots of ground a good and substan Brick building as therein particularly mentioned. In or to assist the said William T. B. Roberts in erecting the s buildings, the said Gordon McNeil agreed to advance in course of building, the sum of $ 17,600. It was ther expressly understood and agreed by and between the s Gordon McNeil and William T. B. Roberts that he the s Gordon McNeil should by indenture bearing even date the with, grant and convey said large lot of ground to the s William F. Amey, his heirs and assigns clear of incumbran And in order to secure the aforesaid consideration money said lots of ground and the advances to be made thereon, t said William F. Amey should give and execute to said Gord McNeil 31 first mortgages with Bonds and Warrants attorney on the subdivisions numbered from one to thir one on said plan; One of said mortgages for the sum $1,300 on the said lot marked No. 1, on said plan: th other of said mortgages for the sum of $1,200 each one each of said lots marked 2, 3 and 4 on said plan, 20 other of s mortgages for the sum of $1,000, each one on each of s lots numbered from 5 to 24 inclusive on said plan; one oth of said mortgages for the sum of $1,600 on said lot nu bered 25 on said plan; two others for the sum of $750 ea one on each of said lot numbered 26 and 27, and four oth for the sum of $900 each, one on each of said lots number from 28 to 31 inclusive, said mortgages being given to secu the whole of the purchase money of said lots and part of t advances to be made on lots numbered 2, 3, 4, 5, 6 and and the whole of the advances to be made on the other a remaining lots of ground. To secure the additional advan to be made on each of the said lots numbered 2, 3, 4, 5, 6 a 25 on said plan, the said William F. Amey should give a

ute to said Gordon McNeil 6 second mortgages, &c., 5 of
mortgages for the sum of $500 each, one on each of
lots numbered 2, 3, 4, 5 and 6, on said plan and one
r mortgage for the sum of $900 on said lot numbered
said 31 first mortgages payable at the expiration of three
s, from April 1, 1874, and the remaining six second
tgages payable respectively on the 1st day of April, 1876,
lawful interest half yearly. And that the said William
Amey should immediately afterwards convey the said lots
aid William T. B. Roberts subject to the payment of the
mortgage debts.

Duly executed.

Acknowledged March 20, 1874. Recorded March 23, 1874, in Deed Book F. T. W, No. 120, p. 56, &c.

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eed.—Gordon McNeil and wife to William F. Amey, in or said large lot of ground last above described. 1874. March, 12, Prod. & Exd.

Duly executed.

Acknowledged March 12 & 20, 1874. Recorded March 23, 1874, in Deed Book F. T. W, No. 120, p. 65, &c.

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hirty-one mortgages. William F. Amey to the said lon McNeil, his heirs and assigns one on each of the said y-one lots of ground in question for the payment of the cipal sums as above mentioned, at the expiration of three s from the 1st day of April, 1874, with interest half ly on the 1st day of March and September. 1874. March, 12, Prod. & Exd.

Duly executed.

Acknowledged March 20, 1874. Recorded March 23, 1874, in Mortgage Book F. T. W, No. 133, on the following pages consecutively according to the numbers of the mortgages on the plan, viz: pages 250, 254, 257, 261, 265, 269, 273, 276, 280, 284, 288, 292, 296, 300, 304, 307, 312, 316, 319, 324, 327, 331, 335, 339, 342, 346, 350, 353, 357, 361, 364, &c.

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x mortgages. William F. Amey to the said Gordon Neil, his heirs and assigns, one on each of the said lots bered 2, 3, 4, 5 and 6, for the payment of the principal 1874. March, 12' Prod. & Exd.

sum of $500 each, and the other on the said lot numb
25 on said plan for the payment of the principal su
$900 on the 1st day of April, 1876, with lawful int
thereon half yearly on the 1st of March and September.

Duly executed.

Acknowledged March 20, 1874. Recorded M
24, 1874, in Mortgage Book F. T. W, No. 134, o
following pages consecutively according to the n
bers of the mortgages on the plan, viz: pages
180, 184, 188, 191, 195, &c.

1874.
March, 12.
Prod. & Exd.

Deed.—William F. Amey to William T. B. Roberts, in
for said 31 lots or pieces of ground in question describe
the head of this brief.

Under and subject nevertheless to the payment of
above recited mortgage debts.

Duly executed.

Acknowledged March 20, 1874. Recorded March
1874, in Deed Book F. T. W, No. 110, p. 507, &c

1874.
July, 2,
Prod. & Exd.

Deed.—Abraham R. Bockius and wife, Samuel F. Boc
and wife of the 1st part, Gordon McNeil of the 2d part
William T. B. Roberts of the third part; whereby the
parties of the 1st part in consideration of the sum of $2,
to them paid by said Gordon McNeil and the sum of
paid by said William T. B. Roberts, did release and fore
extinguish unto the said William T. B. Roberts, his heirs
assigns the two yearly ground rents of $72 each reserve
above recited.

Duly executed

Acknowledged July 3, 1874. Recorded July 6, 18
in Deed Book F. T. W, No. 132, p. 449, &c.

Abstracted from the Records and Papers produced by
ALLEN & KELLY,
No. 36 S. 7th St., Philadelphia

CERTIFICATES OF SEARCH.

n examination of the Judgment Index of the District
t for the City and County of Philadelphia, from July 1st,
). one thousand eight hundred and sixty-nine (1869), to
second day of July one thousand eight hundred and
nty-four (1874.), I find the following unsatisfied Jndg-
ts entered therein within that period against Gordon
Ieil.

eo. J. Link, J. 74,287. D. S. B. June 23, '74, $2,212.60.

Certified by

L.] CHAS. P. LYLE, *Pro. Proth'y.*

he judgment above certified was obtained after the con-
nce by McNeil to Amey and consequently does not bind.

A. & K.

---

n examination of the Judgment Index of the District
t for the City and County of Philadelphia, from July 1st,
). one thousand eight hundred and sixty nine (1869), to
second day of July, one thousand eight hundred and
nty-four (1874), I find no unsatisfied Judgments entered
ein within that period against

Joseph Handsberry, Abraham R. Bockius,
Charles L. Eberle, Samuel F. Bockius.

Certified by

L.] CHAS. P. LYLE, *Pro. Proth'y.*

one as to Abraham R. Bockius or Samuel F. Bockius, to
7, 1874

CHAS. P. LYLE, *Pro. Proth'y.*

On examination of the Judgment Index of the Distr Court for the City and County of Philadelphia, from Mar 1st, A. D. one thousand eight hundred and seventy-fo (1874), to the second day of July, one thousand eight hundr and seventy-four (1874), I find no unsatisfied Judgmer entered therein within that period against

William F. Amey.

Certified by

[SEAL.] CHAS. P. LYLE, *Pro. Proth'y.*

On examination of the Judgment Index of the Distri Court for the City and County of Philadelphia, from Mar 1st, A. D. one thousand eight hundred and seventy-fo (1874), to the second day of July, one thousand eight hu dred and seventy-four (1874), I find the following unsatisfi Judgments entered therein within that period against

William T. B. Roberts.

1. F. S. Hovey, M. 74,379. D. S. B. March 30, 1874, R. $1,045.
2. John C. Allen, 933 id May 9, 1874, R. $220.
3. Excelsior Press Brick, J. 74,62. M. L. D. June 19, 187 $233.

Certified by

[SEAL.] OHAS. P. LYLE, *Pro. Proth'y.*

The first two Judgments above certified bind the premis in question, but do not affect the mortgages thereon. No. J. 74,62, M. L. D. is a claim for Bricks against premises S. W. side of Dorrit street and does not affect premises question.

A. & K.

On examination of the Judgment Index of the Court Common Pleas for the City and County of Philadelphia, fro July 2d, A. D. one thousand eight hundred and sixty-ni (1869), to the third day of July, one thousand eight hundr

seventy-four (1874), I find the following unsatisfied gments entered therein within that period against

Gordon McNeil.

, J, 73,171. Claim, Aug. 23, '73, $149.75.

Certified by

AL.] S. COULTER, JR., *Pro. Prot'h.*

he claim above certified is against premises situate on the th-east side of Auburn or William street and Trenton nue, in the 25th Ward, Philadelphia.

A. & K.

On examination of the Judgment Index of the Court of mmon Pleas for the City and County of Philadelphia, from y 2d, A. D. one thousand eight hundred and sixty-nine 39), to the third day of July, one thousand eight hundred seventy-four (1874), I find no unsatisfied Judgments ered therein within that period against

Joseph Handsberry, Abraham R. Bockius,
Charles L. Eberle, Samuel F. Bockius.

Certified by

AL.] S. COULTER, JR., *Pro. Proth'y.*

None as to Abraham R. Bockius or Samuel F. Bockius, to y 7, 1874,

S. C., Jr.

On examination of the Judgment Index of the Court of mmon Pleas for the City and County of Philadelphia, from rch 1st, A. D. one thousand eight hundred and seventy-r (1874), to the third day of July, one thousand eight ndred and seventy-four (1874), I find no unsatisfied lgments entered therein within that period against

William F. Amey, William T. B. Roberts.

Certified by

AL.] S. COULTER, JR., *Pro. Proth'y.*

I do certify that on examining the Judgment Index of Supreme Court of Pennsylvania, for the Eastern Dist Five years prior to the second day of July (1874), thousand eight hundred and seventy four I find no unsati judgments entered within that period against

Joseph Handsberry, Gordon McNeil,
Charles L. Eberly, Abraham R. Bockius,
Samuel F. Bockius.

[SEAL] JAMES L. BROWN, *Pro. Proth'*

None as to Abraham R. Bockius or Samuel F. Bockiu
July 7, 1874.

J. L. B.

I do certify that on examining the Judgment Index of Supreme Court of Pennsylvania, for the eastern District, f March 1, 1874, to the second day of July (1874), one th sand eight hundred and seventy-four, I find no unsati Judgments entered within that period against

William F. Amey, William T. B. Roberts.

[SEAL.] JAMES L. BROWN, *Pro. Proth'*

United States
Eastern District of Pennsylvania. } s.s.

I Gilbert R. Fox, Clerk of the District Court of the Un States for the Eastern District of Pennsylvania, certify there are no unsatisfied Judgments remaining on Recor my office obtained within the last five years against

Joseph Handsberry, Gordon McNeil,
Charles L. Eberle, Abraham R. Bockius,
Samuel F. Bockius.

[SEAL.] JOHN B. BEAVER,
Pro. Clerk, District Cour

Philadelphia, this second day of July, A. D. 1874.

None as to Abraham R. Bockius or Samuel F. Bockiu
July 7. 1874.

J. B. BEAVER, *Pro. Clerk.*

United States } s.s.
stern District of Pennsylvania. }

I Gilbert R. Fox, Clerk of the District Court of the ited States, for the Eastern District of Pennsylvania, tify that there are no unsatisfied Judgments remaining on cord in my office obtained against

William F. Amey, William T. B. Roberts,

ce March 1, 1871.

EAL.] JOHN B. BEAVER,
Pro. Clerk, District Court.

Philadelphia, this second day of July, A. D. 1874.

United States } s.c.t.
stern District of Pennsylvania. }

I, Samuel Bell, Clerk of the Circuit Court of the United ates, in and for the Eastern District of Pennsylvania, do reby certify that there are no unsatisfied Judgments remaining on record in my office obtained within the last five ars against

Joseph Handsberry, Gordon McNeil,
Charles L. Eberle, Abraham R. Bockius,
Samuel F. Bockicus.

EAL.] JOHN B. BEAVER, *Pro. Clerk.*

Philadelphia, this second day of July, A. D. 1874

None as to Abraham R. Bockius or Samuel F. Bockius, to ly 7, 1874.

J. B. BEAVER, *Pro. Clerk.*

United States } s.c.t.
astern District of Pennsylvania. }

I, Samuel Bell, Clerk of the Circuit Court of the United ates, in and for the Eastern District of Pennsylvania, do reby certify that there are no unsatisfied Judgments remaining on record in my office obtained against

William F. Amey, William T. B. Roberts,

ce March 1, 1871.

EAL.] JOHN B. BEAVER, *Pro. Clerk.*

Philadelphia, this second day of July. A. D. 1874.

Court of Quarter Sessions of the Peace, for the City a
County of Philadelphia.

I certify that I have examined the records of the afo
said Court for five years past, and do not find any unsatisf
Judgments against

Joseph Handsberry, Abraham R. Bockius,
Charles L. Eberle, Samuel F. Bockius,
Gordon McNeil, William F. Amey,
William T. B. Roberts

July 3, 1874.

Certified by
[SEAL.] FRANK P. GOODWIN, *Pro Clerk*

None as to Abraham R. Bockius or Samuel F. Bockius,
July 7, 1874.
F. P. G.

All that certain lot or piece of ground situate on the sou
west side of Chew street in the 22d Ward of the city
Philadelphia, described as follows, to wit: Beginning at
point on the south-west side of Chew street at the distar
of 200 feet south-eastwardly from the south-east side of Ch
ton avenue, thence extending south-westwardly on a li
parallel with Chelton avenue 302 feet and one fourth of
inch to a point in line of ground now or late of Thomas
Andrews, thence south-eastwardly along the same 144 feet
a point in land of Mrs Cox, thence extending along the sar
and through the bed of Woodbine avenue north-eastward
on a line parallel with Locust avenue 100 feet to a poi
thence south-eastwardly still along the said Cox's ground a
the said Woodbine avenue 55 feet to a point in line of lar
now or late of Alfred C. Harmer and thence north-eastward
along the same on a line parallel with Locust avenue 2(
feet $2\frac{1}{4}$ inches to said south-west side of Chew street a
thence north-westwardly along said south-west side of sa
Chew street crossing said Woodbine avenue 200 feet to th
first mentioned point and place of beginning.

lease certify every unsatisfied mortgage remaining of rd made of the premises above described or any part eof or of any yearly ground rent issuing thereout by

Moses Hall	from	Oct. 1, 1756, to Oct. 1, 1800.
John Bringhurst	"	Jany. 1, 1763 to May 1, 1776.
Jane Groves	"	March 1, 1776 to Oct. 1, 1800.
George Kennedy	"	Feb. 1, 1779, to Oct. 1, 1800.
Blair Macclenachan	"	Dec. 1, 1779, to Oct. 1, 1800.
Philip Moore	"	March 1, 1780 to Feb. 1, 1782.
William McMurtrie	"	June 1, 1781, to Feb. 1, 1782.
David Bloid	"	June 1. 1781 to July 1, 1791.
Margaret Bloid	"	June 1, 1791, to May 1, 1821.
Joseph Wright Trustee	"	April 1, 1821, to May 1, 1856.
Margaret Boyer, Catharine Boyer, Catharine Roop, James Roop, Margaret Boyer, Margaret Peck, Daniel Lewis Peck.	from Aprii 1, 1821, to October 1, 1856.	
James S. Boyer, ndividually or as Trustee. John W. Boyer, Anna B. Boyer, Anna B. Lawrence Samuel Lawrence.	from April 1, 1821, to August 1, 1857.	
Rebecca Boyer, Rebecca Bockius, Abraham R. Bockius, Jennetta Boyer, Jennetta Bockius, Samuel F. Bockius.	since April 1, 1821.	
Edmund Bockius	from	May 1, 1856 to Oct. 1, 1856.
Robert Thomas	"	Sep. 1, 1856, to Feb. 1. 1859.
James R. Gates	"	Jan. 1, 1859, to Dec. 1, 1866.
Joseph Handsberry, Charles L. Eberle.	"	Nov 1, 1866, to April 1, 1870.
Gordon McNeil	"	March 1, 1870 to April 1 1874.

35. William F. Amey,
36. Wm. T. B. Roberts. } since March 1, 1874.

Allen and Kelly.

On searching the Index of Mortgages for the City ar County of Philadelphia, I find no unsatisfied Mortgages the above described premises or any part thereof or of ar yearly ground rent issuing thereout given by either of tl thirty-six (36) persons above named within the periods spec fied, except thtrty-eight (38) by William F. Amey to Gord McNeil, dated March 12, 1874. One for one thousand thr hundred dollars ($ 1300). Three (3) for one thousand tv hundred dollars ($ 1,200), each. One for one thousand s hundred dollars ($ 1,600). Twenty (20) for one thousand do lars ($ 1,000 each. Two (2) for seven hundred and fif dollars ($ 750) each. Five (5) for nine hundred dollars $ 90 each. Five for five hundred dollars ($ 500) each and or for thirty-five thousand dollars [$ 35,000].

Witness my hand and seal of office the second day of Jul A. D. 1874.

[SEAL.] E. R. BILES, *Pro. Recorder.*

None as to Abraham R. or Samuel F. Bockius, to July 1874.

E. R. BILES, *Pro Recorder.*

On examining the Register of unpaid taxes I find nothin against the above described premises for the years 1869 t 1873 inclusive.

J. NUTTALL, *Reg. Clerk.*

Tax Receipt for 1874 in possession of Allen and Kelly.

To the Proth'y of the Court of Common Pleas.

On searching the Locality Index of the Court of Commo Pleas, I find nothing against the above, since July 1, 1869.

[SEAL.] W. H. JOHNSON, *Pro Proth'y.*

July 1, 1874.

To the Proth'y. of the District Court.

On searching the Locality Index of the District Court, I nothing against the above since July 1, 1869.

AL.] D. B. BAKER, *Pro. Proth'y.*

July 3, 1874.

To the City Solicitor.

On searching the Index of Claims in the City Solicitor's ce, I find nothing against above described premises.

S. MAX McINTYRE, per C. B.

July 1, 1874.

To John C. Uhle, Esq.

An examination of my Sheriffs record as far as collated s to discover any Sheriff sales of the premises as within cribed.

John C. Uhle,

April 1, 1874.

The original searches from which the above were printed, at our office, No. 36 S. Seventh Street, where they can be mined at any time.

Allen and Kelly.

MAIN STREET
Paul Koepnet and Baltzer Brown
N.E. 458
130 Rods 110 Rods conveyed by John Smith & wife to Moses Kaufman
Moses Kaufman
Moses Kaufman

6

SUPREME COURT,

IN EQUITY.

JANUARY TERM, 1860.—No.

NEFF

VS.

THE PHILADELPHIA AND GRAY'S FERRY PASSENGER RAILWAY COMPANY. et al.

BILL, AMENDMENTS AND AFFIDAVITS.

Crissy & Markley, Printers, Goldsmiths Hall, Library Street, Philadelphia.

In the Supreme Court, Eastern District of Pennsylvania.

JANUARY TERM, 1860. No.

ROBERT K. NEFF, as well for himself as for such other stockholders of the Philadelphia and Gray's Ferry Passenger Railway Company, as agreeing to contribute to the expenses of this suit may become parties thereto, brings this his bill of complaint against the Philadelphia and Gray's Ferry Passenger Railway Company, a body politic and corporate in law, and William D. Lewis, President, John Miller, Treasurer, and James Magee, William V. McGrath, John N. Hutchinson, John P. McFadden, Henry L. Gaw, John Eisenbrey, Jr., James C. Hand, William K. Barcklay, George W. McMahan, Charles Lafferty, and James McCahan, Directors; and William M. Reilly, W. V. McGrath, John N. Hutchinson, J. P. McFadden, J. S. McMullin, John Miller, George Taber, N. P. Murphy, Wm. D. Lewis, Jas. Magee, D. H. Neiman, A. E. Nicholas, D. C. Levy, T. W. Webb, H. L. Gaw, C. J. Wolbert, Mary B. Conway, J. Bullock, J. Johnson, R. Vaux, S. D. Anderson, E. G. Webb, P. Fitzpatrick, Daniel Lagen, A. L. Crawford, Jas. M. Murphy, T. L. Derringer, A. Hughes, J. Oscar Webb, A. Benner, L. C. Cassidy, C. Lafferty, Thos. M. Coleman, Alex. Nicholas, Eliza Helmbold, J. S. Yost, G. W. McMahan, Chas. P. Dare, Thos. S. Reed, M. D., Wm. B. Mann, Jas. Monahan, B. W. Adams, John Eisenbrey, Jr., Charles Koons, W. J. Reed, H. W. Ducachet, H. L. Ben-

ner, Pliny Fisk, J. Chan, D. Morwitz, J. Hamilton, H. A. Brown, Mary Brown, A. Heilman, N. B. Kneass, R. Kelton, E. Nicholas, J. B. Lancaster, C. Colket, G. H. Guyer, C. S. Allen, H. S. Allen, M. S. Bulkley, C. P. Hayes, E. Dale, B. F. Huddy, J. C. Hand, O. Hopkinson, Wm. R. Bauer, T. Rowland, L. M. Allen, Wm. Eisenbrey, Peter V. Weaver, Jer. L. Hutchinson, F. Perew, Wm. Richardson, J. B. Okie, E. Hull, T. Julius, H. G. Gaw, Trustee, H. F. Kenny, W. P. Carter, Eliza P. Jones, E. Wiler, L. A. Leisenring, H. G. Leisenring, C. Watkin, E. Ward, P. Field, H. K. Smith, J. Moloney, Andrew Sterling, Lewis Cooper, W. H. Eisenbrey, Wm. K. Barcklay, G. C. Heberton, D. Wilson, S. Wilson, J. A. Page, H. Humphries, Michael Magee, James B. Alvord, August Oaks, D. Rosenthal, C. Goldsmith, Chas. Richardson, P. A. Moise, William Florance, S. F. Moise, Wm. Anderson, C. K. Landis, A. Pallas, Trustee, E. Lewis, D. Burpee, Thos. Murray, C. A. Kneass, M. C. McCready, William Duane, W. Haller, and W. B. Ely.

And thereupon, your orator avers that by an act of assembly, approved the 9th day of April, A. D., 1858, and the performance of what was thereby required, there was created and established the corporation defendants, with the powers and privileges by the said act granted and conferred. A copy of which said act is annexed hereto as an exhibit to this bill, (marked A,) and which it is prayed may be regarded as though here set forth at large.

That under and in pursuance of said act, and upon the sixth day of May, A. D., 1858, letters patent were in due form of law issued under the great seal of the State, erecting the subscribers to the stock of the said company into a corporation, by the name aforesaid, of which letters patent a copy is hereto annexed, (marked B,) as an exhibit to this bill, and which it is prayed may be regarded as though here set forth at large.

And your orator further avers, that he is holder and owner of five shares of the capital stock of said corporation defendant, upon which he has paid all lawful calls and subscriptions, and

he annexes hereto a copy of the certificate of stock which was issued to him therefor, (which copy is marked C,) and is intended as an exhibit to this bill, and which it is prayed may be regarded as though here set forth at large.

And your orator avers, that he became the owner of the said five shares of stock, by appearing before such of the commissioners in the act of incorporation named, as acted, at a meeting by them duly advertised and held: that he there and then subscribed for such stock, and that after the subscription books had been opened for a competent and legal time, and when at least ten per cent. of the stock of the company, to wit, 2,000 shares, (included in which was your orator's five shares,) had been subscribed, and paid for, the subscription books were by such acting commissioners declared closed.

And your orator further avers, that shortly after the letters patent were procured, the books of subscription were again opened about May 22d, 1858, and declared finally closed about July 12th, 1858, as by the proceedings of the Board on the Minute Books will appear, and never opened thereafter by any legal authority.

And your orator further avers, that the capital stock of the said company consists, by law of 20,000 shares, at $25 per share, and

That in the month of December, 1858, and up to the 6th of January, 1859, there were actually issued and outstanding 8,545 shares of the said capital stock of the said company.

And your orator further avers, that all of said stock had been issued under a resolution duly passed by the Board of Directors, and sanctioned and approved by the stockholders of the said company.

And your orator further avers, that at that time, namely December, 1858, the road was in a great part constructed and equipped, and the cars actually running thereon.

And your orator further avers, that after the said 12th day of July, 1858, when the said subscription books were finally

closed as aforesaid, there was at no time any meeting of the stockholders of said corporation held for the purpose of re-opening said subscriptions, nor was there after said date any resolution passed by the stockholders, or with their authority, for the re-opening of said subscriptions, or for receiving new subscriptions, or for conferring any power on the Directors, to issue or sell any stock of the company to any person or parties.

And your orator further avers, that on the 31st day of December, 1858, at a meeting of the Board of Directors then held, a motion was made and carried, "that all resolutions calling upon the stock-"holders to pay the second and third instalments due upon the "capital stock of the company, be and the same are hereby re-"pealed, and the secretary and treasurer be directed to refund any "such instalment that may have been so paid."

And your orator further avers, that at said meeting of the Board, on said 31st day of December, 1858, a motion was carried to open the books of subscription to the whole amount of the capital stock of the company. Immediately thereupon, one member of the Board, whom the complainant believes and avers was George W. Middleton, declared that he would take ten thousand shares of such new stock, and another member of the then Board, whom the complainant avers and believes was Edward R. Helmbold, declared that William V. McGrath, John Miller and John N. Hutchinson would take twelve thousand shares; and the meeting then adjourned, and immediately thereupon the said William M. Reilly, (then President of the said company,) proceeded to secure the subscription books and seal of the corporation from the fire proof and office of the company, but being opposed by one of the directors of the said company, one James McCahen, with physical force, a scuffle ensued, and while the then secretary of the company, (George H. Armstrong,) engaged the attention of the said resisting director, the said President escaped with the books and papers and corporate seal.

That after the said books had been so removed, they were taken

by night first to the office of the said William V. McGrath, and thence to an office, not an office of the company, where certificates of stock were then and subsequently issued, or pretended to be issued, as nearly as this complainant can learn, that is to say:

	Shares.	
To William V. McGrath,	2,000	
J. N. Hutchinson,	2,000	
John Miller,	2,000	
John P. McFadden,	2,000	
J. S. McMullen,	2,000	
W. D. Lewis,	600	
George Taber,	600	
James McFadden,	400	
N. P. Murphy,	400	
		12,000
Wm. M. Reilly,	1,600	
E. R. Helmbold,	1,600	
G. H. Armstrong,	1,400	
G. W. Middleton,	1,000	
James McCahen,	1,000	
Wm. H. Helmbold,	700	
W. H. Cooper,	500	
		7,800
		19,800

And your orator further avers, that at a meeting of the Board of Directors, held on the 4th day of January, 1859, a motion was made, and declared by the President to have been carried by a majority of one vote, as follows:

Resolved, "That the Treasurer be authorized to issue stock as "follows, viz: to William M. Reilly, (President,) 1,600 shares, "Geo. H. Armstrong 1,400 shares, Edward R. Helmbold 1,600 "shares, Wm. H. Helmbold 700 shares, William H. Cooper, 500 "shares, Jas. McCahen 1,000 shares, and George W. Middleton

"1,000 shares. And that he receive the promissory notes or obli-
"gations of said parties for the same, viz: notes at four, six and
"eight months with interest, from said six parties first named, and
"the checks of George W. Middleton, payable May 6th, 1859,
"and July 6th, 1859, and six months interest; with the stipulation
"that said stock shall remain with the company until said sub-
"scriptions shall be paid in full, with interest thereon." Which said majority of one consisted of a vote cast in the affirmative by John Miller, heretofore herein named, which said Miller had been elected to fill a vacancy in the said Board of Directors, caused by the resignation of William H. Helmbold, and at the time of so voting as aforesaid, said Miller was not the owner of any stock in said company, and therefore not entitled lawfully to sit and vote as a director thereof, and thereupon five of the directors then present, whom this orator avers and believes were W. Young, John S. Thackara, Nelson Wannemacher, John S. Struthers, and William Young, Junior, presented a protest in writing against the passage of the said resolution, which is duly recorded in the minutes and filed amongst the papers of said company. And your orator further shows, that the stock was actually issued under said resolutions to the parties, and in the amounts therein named, and that payment of the same was made in the manner therein prescribed.

And your orator is advised and so charges, that both of said issues (under the Resolutions of December 31, 1858, and January 4, 1859,) were contrary to law, fraudulent and void.

And your orator further shows, that for the said shares of stock so illegally and fraudently issued no money or instalment was paid by the defendants, or by the aforesaid fraudulent subscribers, or any of them, or by any one for them, to the said corporation defendants, or to any treasurer or other officer thereof, at the time said pretended subscriptions were made, nor at any time thereafter, but to the contrary thereof, your orator upon information and belief avers the truth to be, that certain of said fraudulent subscribers, viz., William V.

McGrath, J. N. Hutchinson, John Miller, John P. McFadden, J. S. McMullen, and William D. Lewis advanced the sum of $50,000, (but in what proportions your orator cannot state, but prays discovery,) and that William V. McGrath, John P. McFadden and William M. Reilly, endorsed certain promissory notes of the corporation defendants, amounting in all to $40,000, which money and notes were handed to the counsel of said parties so advancing said money, and so endorsing said notes, and were deposited and held by him in his own name until about the 6th day of January, A. D. 1859, when said money and notes were handed over to the counsel of one Joseph Singerly, in settlement of a certain contract then held by him, for the building of said road, and for certain stock which had been theretofore issued by said corporation defendants, and which stock was then held by said Joseph Singerly and one William Young, to the extent of 7,600 shares, but no resolution of the Board was ever adopted authorizing the payment of the said sum of $50,000 and $40,000 in notes to the said contractors.

And your orator further avers, that said sum of $50,000 so advanced by the parties above named, was never paid to said corporation or to any officer thereof; that the same was a mere advance or loan upon the stock of said company; that it was not the first instalment of $5 per share required by law to be paid upon any regular subscription to said stock; that all of said promissory notes so endorsed by said William V. McGrath, John P. McFadden and William M. Reilly, were taken up and redeemed by said corporation defendants, and that even if the whole amount required by law had been actually paid by said pretended subscribers into the treasury of said corporation, the said pretended subscription would have been as your complainant is advised, and so charges, fraudulent and void as against complainant, and other stockholders who had no opportunity of subscribing to said stock, and who had been actually prevented from so subscribing by the secret and irregular manner in which said proceedings had been conducted as aforesaid.

And your orator further shows, that at the time of said fraudulent and pretended issue of said 19,800 shares of stock aforesaid, there was held and then outstanding, stock of the company theretofore issued as follows:

	Shares.
Stock held by original subscribers, - - -	125
Contract stock held by Joseph Singerly and William Young, including 200 shares of J. Fraser and A. Pallas,	7,800
Edward Brady, - - - - -	230
J. S. Struthers, - - - - -	190
Robert Perry, - - - - - -	40
Wm. V. McGrath, - - - - -	160
	8,545

Thus leaving unissued only 11,455 shares. Whereas, the amount so as aforesaid pretended to have been issued on December 31st, 1858, and January 4th, 1859, was 19,800 shares. There being, therefore, an over issue of 8,345 shares.

And your orator further avers, there were issued to W. V. McGrath on or about November 1858, 160 shares of the stock of the company, without any authority therefor on the minutes of the Board, but what consideration was paid for the same, or when the said shares were cancelled or by whom, or why, your orator is ignorant and prays discovery.

And your orator further shows, that he received no notice of such intended subscription of said 19,800 shares, or of the reopening of the books for said purpose; nor was any advertisement or other public notice thereof given; nor was notice of any kind given to any of the stockholders, except such as were concerned in the said illegal subscription as already stated. And your orator further shows, that there was no authority given by the stockholders for said subscriptions, or any of them.

And your orator avers, that the whole conduct of the defendants in the premises has been fraudulent and collusive, and that

the said agreement for the said pretended subscription on said advance of money and endorsements, was made with the sole view, purpose, and intent, and in pursuance of a bargain to procure by means of the said $50,000 in cash, and $40,000 in promissory notes, the whole of the stock of said company, and divide the same, except some 125 shares.

And your orator further avers, that only $15 per share was paid, as he is informed, and believes, on said 125 shares of origi- stock of the company, and no further or other instalments called in on any of the said 125 shares; and the sum of $50,000, paid to the contractors, was advanced on the 19,800 shares, as before mentioned on page 6, the said $40,000 in notes being paid to the said contractors by the said company.

And your orator further avers, that of the 7,800 shares so illegally issued under the Resolution of January 4, 1859 as aforesaid, a large number, to wit, about 6,000 shares, were purchased by certain of the defendants, then and now directors of said company, from the parties to whom the same had been issued, at a premium of $2 per share thereon, and the shares thus illegally issued and purchased were subsequently resold at a profit to certain others, defendants, out of the proceeds of which said resale, payment of the said $40,000 in notes was made by the said company.

And your orator further avers, there was no authority on the minutes of the Board of Directors to pay the said contractors the said sum of $50,000 in cash and $40,000 in notes as afore- said; nor was there ever any suit brought against the said com- pany by the said contractors for any sum of money whatever, the said settlement with the said contractors having been agreed upon by certain of the Directors, as a pretext to dispose of the said balance of stock unissued, to certain of the defendants and their friends, as well as to control the affairs of the said com- pany.

And your orator further avers, complains, and charges, that the said acts were in direct violation of law and the charter of

this company, in fraud of rights of your orator and other bona fide stockholders, and that the distribution of said 19,800 shares of stock is fraudulent and void, and that neither the parties receiving the same, nor their transferees, have any right, title, or interest in the said 19,800 shares, but that the same are the property of the company, subject only to the payment of such moneys to such parties as the said company may in proper adjustment fairly owe to them respectively—if any.

And your orator further shows, that William M. Reilly, George H. Armstrong, Edward R. Helmbold, George W. Middleton, William H. Cooper, James McCahen and William H. Helmbold, paid no money whatever at the time of said pretended subscription, nor at any time afterwards, for the shares allotted to them in said partition or distribution, but the same were their portions for procuring or assisting to procure the aforesaid illegal distribution of said stock. Nearly all of the parties so furnishing the said money, as above stated, were elected at an annnal election on January 10, 1859, four days after receiving said stock, as Directors of the said company.

And your orator further avers, that since the said pretended issue of stock, under the resolutions of December 31st, 1858, and January 4th, 1859, the said parties, defendants, holders of the said stock, have entirely controlled and managed the said railway and company, and at the election on the ninth day of January, 1860, for officers and directors of said road, they voted upon the said 19,800 shares of stock, or a large part thereof, and claimed that certain of the said defendants so herein named, were duly elected President and Directors of the said company, as aforesaid; whilst your orator, on the contrary, charges and avers that a majority of the legal stock of the said company voted against the said defendants as officers and directors, and for other persons, whom your orator claims were duly and legally elected President and Directors of the said company; yet so it is, your orator charges, that the said defendants, in violation of law and equity, hold the said offices, and refuse to surrender the same, and have, hold, keep

and manage all the affairs, property and money of the said company in such manner as they please.

And your orator further avers, that the present incumbent officers intend to declare and distribute, a dividend of one dollar and fifty cents per share on all outstanding stock, whether legal or fraudulent, and to call in an instalment of one dollar and fifty cents per share thereon.

And your orator upon information and belief, avers that William V. McGrath, John N. Hutchinson, J. P. McFadden, J. S. McMullen, John Miller, George Taber, N. P. Murphy, Wm. D. Lewis, Jas. Magee, D. H. Neiman, A. E. Nicholas, D. C. Levy, T. W. Webb, H. L. Gaw, C. J. Wolbert, Mary B. Conway, J. Bullock, J. Johnson, R. Vaux, S. D. Anderson, E. G. Webb, P. Fitzpatrick, Daniel Lagen, A. L. Crawford, James M. Murphy, T. L. Derringer, A. Hughes, J. Oscar Webb, A. Benner, L. C. Cassiday, C. Lafferty, Thos. M. Coleman, Alex. Nicholas, Eliza Hembold, J. S. Yost, G. W. McMahan, Chas. P. Dare, Thos. S. Reed, M. D., Wm. B. Mann, Jas. Monahan, B. W. Adams, John Eisenbrey, Jr., Charles Koons, W. J. Reed, H. W. Ducachet, H. L. Benner, Pliny Fisk, J. Chan, D. Morwitz, J. Hamilton, H. A. Brown, Mary Brown, A. Heilman, N. B. Kneass, R. Kelton, E. Nicholas, J. B. Lancaster, C. Colket, G. H. Guyer, C. S. Allen, H. S. Allen, M. S. Bulkley, C. P. Hayes, E. Dale, B. F. Huddy, J. C. Hand, O. Hopkinson, Wm. R. Bauer, T. Rowland, L. M. Allen, Wm. Eisenbrey, Peter V. Weaver, Jer. L. Hutchinson, F. Perew, Wm. Richardson, J. B. Okie, E. Hull, T. Julius, H. G. Gaw, Trustee, H. F. Kenny, W. P. Carter, Eliza P. Jones, E. Wiler, L. A. Leisenring, H. G. Leisenring, C. Watkin, E. Ward, P. Field, H. K. Smith, J. Moloney, Andrew Sterling, Lewis Cooper, W. H. Eisenbrey, Wm. K. Barclay, G. C. Heberton, D. Wilson, S. Wilson, J. A. Page, H. Humphries, Michael Magee, James B. Alvord, August Oaks, D. Rosenthal, C. Goldsmith, Chas. Richardson, P. A. Moise, William Florance, S. F. Moise, Wm. Anderson, C. K. Landis, A. Pallas, Trustee, E. Lewis, D. Burpee, Thos. Mur-

ray, C. A. Kneass, M. C. McCready, William Duane, W. Haller, and W. B. Ely, are holders of the stock so fraudulently issued, under the resolutions of 31st December, 1858 and January 4, 1859, as in this bill alleged.

To the end therefore that the said defendants may, if they can, show cause why your orator should not have the relief herein prayed, and that the said corporation under its corporate seal, and the other defendants under their several and respective oaths or affirmations, may to the best and utmost of their several and respective knowledge, information and belief, full, true and perfect answers make to such of the several interrogatories, hereinafter numbered and set forth, as by the note hereunder written, they respectively are required to answer, that is to say:

Interrogatory first.—Whether the corporation defendants was not created and established as herein set forth?

Interrogatory second—Whether letters patent were not issued as hereinbefore set forth, and is not the exhibit hereto annexed, (marked B,) a true copy thereof? And if not, then state why not, and annex a true copy of said letters patent, (whenever or however issued,) to your answer hereto.

Interrogatory third.—Whether your orator is not a stockholder of said corporation, and is not the exhibit hereto annexed, (marked C,) a true copy of the certificate issued by said corporation to your orator as above alleged? And if not, then state why not, and annex a true copy thereof to your answer hereto.

Interrogatory fourth.—Whether or not, in December, 1858, there were 8,545 shares of stock of said company (or some other number, if so, how many,) actually issued and outstanding; whether the same did not so remain up to January 6th, 1859, or some other time, if not then; how many, if any, were canceled by the company on the books, when and by whom, and by whose order; whether or not there were not at the time of the meeting of the Directors of said company in December 31st, 1858, only

11,455 shares, or some other and what number of shares of stock of the said company unissued by the said company?

Interrogatory fifth.—Whether or not the books of subscription were closed about July 12th, 1858, and whether or not any meeting of the stockholders of said company was held, or any authority given by the stockholders after said July 12, 1858, and prior to December 31st, 1858, for any additional issue or sale of stock; annex a copy of the resolutions, of the call of the President, and the call of the stockholders, and by whom such calls were signed, and furnish copies of the minutes of such stockholders' meetings?

Interrogatory sixth.—Whether or not, on the said pretended issues of 19,800 shares of stock, in December, 1858, and January, 1859, any instalment was paid at the time; if so, when, by whom, and what amount; and if before a sale or resale of any, and what portion of said shares; how was the same paid, in money, checks, or notes, to whom was it or were they paid; where deposited; and was it or were they paid simultaneously with said pretended subscriptions, or at any other time, and if at any other time, state when; state distinctly to whose hands said pretended payment was made, to the Treasurer, or any accredited officer of the said company, and by whom, and in what amount was it or were they paid, and at what date, and whether certain of the defendants, and which of them, and when and to whom paid a premium of $2 on all or a large portion of the 7,800 shares issued under the Resolution of January 4th, 1859, and whether said certain defendants made a sale or resale of the same to other defendants, and which of them, and when and at what price, and who received payment for the same, and whether promissory notes for $40,000, or any and what portion thereof, were paid out of the same, and when and to whom? Answer specifically and fully.

Interrogatory seventh.—Whether or not an agreement was had or made in December, 1858, between certain then Directors

of the company, with some, and which of the defendants herein named, for the furnishing of $50,000 cash and $40,000 in endorsed promissory notes, and receiving therefor certain shares of stock, as stated and set out in this bill; and that certain other shares, as herein set forth, should belong to other parties for procuring such an agreement or arrangement to be made or consummated; and whether such division was made; and was there not, at the time of the entering into of such an agreement or arrangement for the pretended subscription or division, stock of the said company still outstanding as follows, namely:

7,800 shares held by Jos. Singerly and Wm. Young, including 200 shares of Andrew Pallas and John Frazer.
40 " Robert Perry.
190 " John S. Struthers.
230 " Edward Brady,
160 " Wm. V. McGrath.
125 " various other stockholders, as original subscribers.

8,545 shares,
and if not as stated, how was or were the same held?

When and how, and for what consideration did Wm. V. McGrath subscribe for or obtain said 160 shares, and did John Miller receive any of the same, or any other shares previous to December 31st, 1858, and if so, when, how many, and for what consideration, and were the same or said 160 shares cancelled, and when and by whom, and why? Answer fully.

Interrogatory eighth.—Whether or not certain of the said defendants previously named as President and Directors of the said corporation, were not elected as is hereinbefore alleged, or in some other, and in what other manner; and whether they, or some, and which of them have not taken upon themselves the said offices and trusts?

Interrogatory ninth.—Who are the present stockholders of said company, and state the number of shares held by each, and when, where and by whom the original certificates were issued?

Interrogatory tenth.—Does the corporation defendants owe any debts, and, if aye, to whom, how much, and for what? Answer specifically.

Interrogatory eleventh.—Whether or not on December 31st, 1858, there was a resolution offered and adopted by a meeting of the then Board of Directors to re-open the books of the company for a further issue of stock? If aye, when and by whom was such offer made? Append to your answer a copy of all minutes, notes or other memoranda relating to such resolution and its passage, in the possession or control of each and every of you individually named, or of the corporation defendants. State whether John Miller was one of the acting Directors, voting upon a resolution to issue certain stock of the Company on January 4th, 1859. If aye, how did he vote, and by what majority was the said resolution carried, and how much of the said stock did the said John Miller then hold or own? Was any stock then and there, or theretofore or thereafter, and by whom, taken or offered to be taken, and if so, by whom? Did the corporate seal, subscription books, and all other books, or papers of the company, requisite or convenient for the issue of stock, remain in the ordinary office of the company after December 31st, 1858? If not, what books or papers were removed, by whom, and to what place or places, and for what purpose? How long did they remain removed, and by whom and when were they and the said seal returned? Was any stock issued in pursuance of the resolutions in this interrogatory mentioned? if so, how much, and to whom? And how much stock of said company was outstanding at the time of, or before the issue of such stock? How much stock was outstanding on each day between the 1st day of November and 31st day of December, A. D. 1858, and when was the same surrendered to and canceled by the company, if at all? When was the stock assigned to the receivers thereof, or

the list made out fixing the amount thereof to be received by each person or receiver, and who was present assisting thereat, and witnessing the same? Did any, and if so, what person, pay cash, and how much, for any of said stock, and who received any stock without the payment of cash therefor, and how much did they so receive without payment of cash therefor, and to whom was any cash paid, and when? Who gave checks; and into whose hands, upon what banks; and when were said checks presented and paid, and by whom, and to whom?

Interrogatory twelfth.—How much cash has been received into the treasury of the said corporation since November 1st, 1858, and how, when and to whom has it been expended and paid? Annex to your answer hereto a copy of the cash account of said company since November 1st, 1858, and furnish copies of all minutes of the Board of Directors or of the company authorizing the payment of any cash or notes to the contractors, or to any person or persons on behalf of the said contractors.

Interrogatory thirteenth.—Did you or either of you, and which of you, subscribe for any share in the corporation defendant previous to or since November 1st, 1858? If aye, when and to how many shares? How much cash did you pay immediately, and *at the time of such subscriptions?* When was it, and to whom was said subscription paid? Has any subscription on stock made, or at any time held, by you, or either or any of you, ever been canceled, released or discharged, or has any offer or attempt been made to cancel or release the same? If aye, when, and how, and by whom? How many shares of the stock of the said company do you now hold?

Interrogatory fourteenth.—Whether or not an election for Directors and other officers was held on the second Monday of January last past? If aye, state particularly who were voted for, for what offices, and what vote each person received; stating what stock voted for each person, together with the date of the original issue of each share of such stock. State specifically.

Interrogatory Fifteenth. Whether the individuals in this bill named as present stockholders of the said railroad company, namely: W. V. McGrath, Jno. N. Hutchinson, J. P. McFadden, J. S. McMullin, Jno. Miller, George Taber, N. P. Murphy, Wm. D. Lewis, Jas. Magee, D. H. Neiman, A. E. Nicholas, D. C. Levy, T. W. Webb, H. L. Gaw, C. J. Wolbert, Mary B. Conway, J. Bullock, J. Johnson, R. Vaux, S. D. Anderson, E. G. Webb, P. Fitzpatrick, Danl. Lagen, A. L. Crawford, Jas. M. Murphy, T. T. Derringer, A. Hughes, J. Oscar Webb, A. Benner, L. C. Cassidy, C. Lafferty, Thos. M. Coleman, Alex. Nicholas, Eliza Helmbold, J. S. Yost, G. W. McMahan, Chas. P. Dare, Thos. S. Reed, M. D., Wm. B. Mann, Jas. Monahan, B. W. Adams, Jno. Eisenbrey, Jr., Charles Koons, W. J. Reed, Rev. H. W. Ducachet, H. L. Benner, Pliny Fisk, J. Chan, D. Morwitz, J. Hamilton, H. A. Brown, Mary Brown, A. Heilman, N. B. Kneass, R. Kelton, E. Nicholas, J. B. Lancaster, C. Colket, G. H. Guyer, C. S. Allen, H. S. Allen, M. S. Bulkley, C. P. Hayes, E. Dale, B. F. Huddy, J. C. Hand, O. Hopkinson, Wm. R. Bauer, T. Rowland, L. M. Allen, Wm. Eisenbrey, Peter V. Weaver, Jer. L. Hutchinson, F. Perew, Wm. Richardson, J. B. Okie, E. Hull, T. Julius, H. G. Gaw, trustee, H. F. Kenny, W. P. Carter, Eliza P. Jones, E. Wiler, L. A. Leisenring, H. G. Leisenring, C. Watkin, E. Ward, P. Field, H. K. Smith, J. Moloney, Andrew Sterling, Lewis Cooper, W. H. Eisenbrey, Wm. K. Barcklay, G. C. Heberton, D. Wilson, S. Wilson, J. A. Page, H. Humphries, Michael Magee, James B. Alvord, August Oaks, D. Rosenthal, C. Goldsmith, Chas. Richardson, P. A. Moise, William Florance, S. F. Moise, Wm. Anderson, C. K. Landis, A. Pallas, trustee, E. Lewis, D. Burpee, Thos. Murray, Mrs. C. A. Kneass, M. C. McCready, William Duane, W. Haller, and W. B. Ely, were not, at the time of filing this bill, stockholders of said company, and if aye, how many shares of stock did each of said individuals then hold, to whom, and when was the said stock first and originally issued by said company, what was paid therefor by each respondent, and who are the present holders thereof, and of all outstanding stock of the company?

Interrogatory Sixteenth. What individuals, if anly other than those named in the last interrogatory, are stockhoders of said, company at the time of answering this interrogatory. If there are any, how much stock does each such individual hold, and to whom, and when was the stock so held first and originally issued by said company?

And that the said company shall be decreed on return or cancellation of the said so illegally issued stock under the resolutions of December 31st, 1858, and January 4th, 1859, to pay to the parties holding or owning the same, so much money as they have advanced to the said company, or as may be now justly due them, if any, or such sums as this court in equity and good faith shall deem just and proper.

And that it may be further decreed and declared, that the stock issued under and by virtue of the resolutions of December 31st, 1858, and January 4th, 1859, was and is fraudulent and void, and that the said stock whether now held by the original receivers thereof, or their transferees, is the property of and belongs to the said company, and that a discovery may be had of the said original receivers thereof and their transferees, and that the complainant may have leave to charge such receivers and transferees when discovered as defendants hereto, by full and apt words for the purpose; and that said defendants and said receivers and transferees when discovered may be restrained by order of this court, from assigning or transferring any of said stock to any person or persons, other than the said company, and may be ordered and decreed to re-assign and transfer their said stock to said company, upon receiving from the said company whatever sums, if any, be justly due to them respectively, for any loan or advance thereon. Your orator denying the right of said parties or any of them, to receive payment from said company for any such loan or advance upon said stock.

And that the said defendants may be restrained from declaing any dividend, from transferring said stock or any share or shares thereof, and from doing any corporate act, except

the giving due notice of the time and place for the election of directors according to law, without the leave and permission of this honorable court first had and obtained.

And that a receiver may be appointed by this honorable court to take and receive the books, papers and accounts of said company, and hold the same subject to inspection at all reasonable times by the said defendants, and to take and receive the rents, revenues, tolls, issues and profits arising, and to arise of and from the property of said company, and to hold the same for distribution in pursuance of such order and decree as this honorable court may hereafter make.

And that your orator may have such other and further relief in the premises as to your honors shall seem meet.

May it please your honors to grant unto your orator, not only your gracious writ of injunction issuing out of this honorable court to be directed to the said Philadelphia and Gray's Ferry Passenger Railway Company and William D. Lewis, President, John Miller, Treasurer, and James Magee, William V. McGrath, John N. Hutchinson, John P. McFadden, Henry L. Gaw, John Eisenbrey, jr., James C. Hand, William K. Barcklay, Geo. W. McMahan, Charles Lafferty, and James McCahen, Directors; and William M. Reilly, W. V. McGrath, Jno. N. Hutchinson, J. P. McFadden, J. S. McMullin, Jno. Miller, George Taber, N. P. Murphy, Wm. D. Lewis, Jas. Magee, D. H. Neiman, A. E. Nicholas, D. C. Levy, T. W. Webb, H. L. Gaw, C. J. Wolbert, Mary B. Conway, J. Bullock, J. Johnson, R. Vaux, S. D. Anderson, E. G. Webb, P. Fitzpatrick, Daniel Lagen, A. L. Crawford, Jas. M. Murphy, T. T. Derringer, A. Hughes, J. Oscar Webb, A. Benner, L. C. Cassidy, C. Lafferty, Thos. M. Coleman, Alex. Nicholas, Eliza Helmbold, J. S. Yost, G. W. McMahan, Chas. P. Dare, Thos. S. Reed, M. D., Wm. B. Mann, Jas. Monahan, B. W. Adams, Jno. Eisenbrey, jr., Charles Koons, W. J. Reed, Rev. H. W. Ducachet, H. L. Benner, Pliny Fisk, J. Chan, D. Morwitz, J. Hamilton, H. A. Brown, Mary Brown, A. Heilman, N. B. Kneass, R. Kelton, E. Nicholas, J.

B. Lancaster, C. Colket, G. H. Guyer, C. S. Allen, H. S. Allen, M. S. Bulkley, C. P. Hayes, E. Dale, B. F. Huddy, J. C. Hand, O. Hopkinson, Wm. R. Bauer, T. Rowland, L. M. Allen, Wm. Eisenbrey, Peter V. Weaver, Jer. L. Hutchinson, F. Perew, Wm. Richardson, J. B. Okie, E. Hull, T. Julius, H. G. Gaw, Trustee, H. F. Kenny, W. P. Carter, Eliza P. Jones, E. Wiler, L. A. Leisenring, H. G. Leisenring, C. Watkin, E. Ward, P. Field, H. K. Smith, J. Moloney, Andrew Sterling, Lewis Cooper, W. H. Eisenbrey, Wm. K. Barcklay, G. C. Heberton, D. Wilson, S. Wilson, J. A. Page, H. Humphries, Michael Magee, James B. Alvord, August Oaks, D. Rosenthal, C. Goldsmith, Chas. Richardson, P. A. Moise, William Florance, S. F. Moise, Wm. Anderson, A. Pallas, Trustee, E. Lewis, D. Burpee, Thos. Murray, Mrs. C. A. Kneass, M. C. McCready, William Duane, W. Haller, W. B. Ely, and enjoining and forbidding each of them, until the final hearing of this cause, and thereafter perpetually, from declaring any dividend, from transferring said stock or any part thereof, and from doing any corporate act, without the leave and permission of this honorable court first had and obtained; but also the Commonwealth's writ of subpœna, to be directed to the said Philadelphia and Gray's Ferry Passenger Railway Company, and William D. Lewis, President, John Miller, Treasurer, and James Magee, William V. McGrath, John N. Hutchinson, John P. McFadden, Henry L. Gaw, John Eisenbrey, jr., James C. Hand, William K. Barcklay, Geo. W. McMahan, Charles Lafferty, and James McCahen, Directors; and William M. Reilly, W. V. McGrath, Jno. N. Hutchinson, J. P. McFadden, J. S. McMullin, Jno. Miller, George Taber, N. P. Murphy, Wm. D. Lewis, James Magee, D. H. Neiman, A. E. Nicholas, D. C. Levy, T. W. Webb, H. L. Gaw, C. J. Wolbert, Mary B. Conway, J. Bullock, J. Johnson, R. Vaux, S. D. Anderson, E. G. Webb, P. Fitzpatrick, Daniel Lagen, A. L. Crawford, Jas. M. Murphy, T. T. Derringer, A. Hughes, J. Oscar Webb, A. Benner, L. C. Cassidy, C. Lafferty, Thos. M. Coleman, Alex. Nicholas, Eliza Helmbold, J. S. Yost, G. W. McMahan, Chas. P. Dare, Thos. S. Reed, M. D., Wm. B. Mann,

Jas. Monahan, B. W. Adams, John Eisenbrey, jr., Charles Koons, W. J. Reed, Rev. H. W. Ducachet, H. L. Benner, Pliny Fisk, J. Chan, D. Morwitz, J. Hamilton, H. A. Brown, Mary Brown, A. Heilman, N. B. Kneass, R. Kelton, E. Nicholas, J. B. Lancaster, C. Colket, G. H. Guyer, C. S. Allen, H. S. Allen, M. S. Bulkley, C. P. Hayes, E. Dale, B. F. Huddy, J. C. Hand, O. Hopkinson, Wm. R. Bauer, T. Rowland, L. M. Allen, Wm. Eisenbrey, Peter V. Weaver, Jer. L. Hutchinson, F. Perew, Wm. Richardson, J. B. Okie, E. Hull, T. Julius, H. G. Gaw, Trustee, H. F. Kenny, W. P. Carter, Eliza P. Jones, E. Weiler, L. A. Leisenring, H. G. Leisenring, C. Watkin, E. Ward, P. Field, H. K. Smith, J. Moloney, Andrew Sterling, Lewis Cooper, W. H. Eisenbrey, Wm. K. Barcklay, G. C. Heberton, D. Wilson, S. Wilson, J. A. Page, H. Humphries, Michael Magee, James B. Alvord, August Oaks, D. Rosenthal, C. Goldsmith, Chas. Richardson, P. A. Moise, William Florance, S. F. Moise, Wm. Anderson, C. K. Landis, A. Pallas, Trustee, E. Lewis, D. Burpee, Thos. Murray, Mrs. C. A. Kneass, M. C. McCready, William Duane, W. Haller, and W. B. Ely; thereby commanding them and each of them at a certain day, and under a certain pain to be therein limited, personally to be and appear before this honorable court, and then and there full, true, direct, and perfect answers make to all and singular the premises, and further to stand to perform and abide such further order, direction, and decree therein, as to your honors shall seem meet.

And your orator will ever pray, &c.

ROBERT K. NEFF.

DUANE WILLIAMS,
WILLIAM H. CRABBE,
F. CARROLL BREWSTER,
W. W. JUVENAL,
JOHN C. KNOX,
for Complainant.

NOTE.—The defendants, and each of them, are required to answer the interrogatories from first to sixteenth inclusive.

DUANE WILLIAMS,
for Complainant.

Affidavit of Robert K. Neff.

ROBERT K. NEFF, being duly sworn according to law, deposes and says:

That he is the complainant named in the foregoing bill, and that the facts therein stated, so far as derived from the information of others, he verily believes to be true, and so far as within his own knowledge the same are true.

That the Philadelphia and Gray's Ferry Passenger Railway Company was incorporated, and letters patent issued thereto as in said bill set forth.

That this deponent is a bona fide owner of five shares of the capital stock of the said Company, subscribed for by him at the original opening of the books by such of the commissioners named in the act of incorporation as acted, and before the letters patent issued.

After the said subscription by this deponent, the said acting commissioners declared the subscription books to such corporation to be closed, and certified that the proportion of stock requisite for the issue of letters patent had been duly subscribed for.

That the said books of subscription were again opened in May, 1858, and declared finally closed in July, 1858, as in said bill mentioned, and never re-opened thereafter by any legal authority.

That, in December, 1858, and up to the 6th of January, 1859, there were legally outstanding upwards of 8,500 shares of the capital stock of said Company.

That the stock issued by the then officers of the said Company in the latter part of December, 1858, or early in January, 1859, was fraudulently issued, under all the circumstances of violence and illegality in said bill at length alleged, and was a large over-issue of the stock of the said Company.

That the persons in said bill named as defendants are holders of certificates of the stock so illegally and fraudulently issued, and those named as present officers of the said Company were elected by the votes of the said stock, and against the votes of a majority of the legal and bona fide stock of the road.

That the present officers of the said Company are in possession and control of a large sum of money belonging to said Company, and have acted and are acting upon the assumption of the legality and validity of all stock now outstanding, whether legal or fraudulent.

ROBERT K. NEFF.

Sworn and subscribed before me, }
this twelfth day of March, 1860. }

JNO. B. KENNEY, *Alderman.*

(Exhibit "A.")

An Act to incorporate the Philadelphia and Gray's Ferry Passenger Railway Company.

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Edward Brady, W. Young, C. J. Eastwick, J. S. Struthers, J. J. Hoopes, J. Gibson, J. M. Williams, D. M. Jones, J. Dick, W. A. Woods, I. Leech, Junior, G. McHenry, T. B. Florence, W. M. Reilly, J. H. Bryant, J. J. Walters, C. Lafferty, E. R. Helmbold, C. Dingee, C. Heishley, P. Lafferty, R. F. Christy, J. McCahen, F. A. Server, T. Allison, L. Keegan, M. McGinniss, C. Whitson, J. Murphy, W. E. Skillman, W. Struthers, G. W. Whitson, J. Milligan, J. A. Whitson, A. Henry, J. D. Campbell, J. McIntyre, A. J. Reilly, G. Kirkpatrick, D. McClain, A. Morrow, G. W. Middleton, T. G. Gauss, B. H. Bartrol, S. Benton, C. L. Jordan, J. Baird, J. Alexander, L. C. Wells, J. W. Flinn, H. Y. Smith, W. H. Cooper, W. B. Hood, J. Johnson, A. Day, R. K. Neff, S. F. Betts, T. H. Speakman, W. Young, Junior, T. G. Morehead, J. S. Thackara, J. Campbell, N. Wanemacher, W. J. Jackson, and J. Reid, are hereby appointed Commissioners to open Books, receive Subscriptions and organize a Company under the name and title of the *Philadelphia and Gray's Ferry Passenger Railway Company*, to continue for a period of twenty years from the passage of this Act.

Section 2. That said Company are hereby authorized and empowered to construct a railway, to be worked by horse power, and to convey passengers over the same, and for such tolls as may from time to time be established, from a point at or near the Schuylkill river at Gray's Ferry bridge, as they think fit, by a double track, along Gray's Ferry road, eastwardly and northeastwardly to the intersection of South street; thence, by a *single track*, along said South street, eastwardly, to Twenty-first street, thence along said Twenty-first street, northwardly, to Pine street, thence along said Pine street, eastwardly to Second street, thence along said Second street northwardly, to Dock street, thence along said Dock street, westwardly and northwestwardly to Walnut street, thence along said Walnut street, westwardly to Third street, thence along said Third street, southwardly to Spruce street, thence along said Spruce street, west-

wardly to Twenty-third street, thence along said Twenty-third street, southwardly to the intersection of Gray's Ferry road aforesaid: *Provided*, That the said Company before commencing to run their cars upon the said street, shall purchase the stock of omnibuses, sleighs, horses and harnesses, owned and used upon the Spruce and Pine street line of omnibuses, at the time of the completion of the said railway, at a price to be assessed in the following manner, to wit, the owners shall choose one disinterested person, and the said Company shall choose a second person, and the two persons thus chosen shall choose a third person, whom, together shall appraise such stocks, and the value thus arrived at shall be binding and final; and the said company shall have the right to purchase such real estate, and to erect thereon such buildings and improvements as may be deemed expedient, for the purposes of the said company, and also to purchase the necessary equipments for said railway; and no locomotive shall be allowed to pass over the same; and shall not obstruct the said streets by permitting freight cars to pass over any portion of said railway; and said company shall have power to cross with their tracks at grade, any other lines of railroads, and said company may connect with any other railways for passenger purposes, and said railway shall be of the gauge of five feet two inches; *Provided*, That in running over the roads of other Railway companies, the company shall conform to the rules and requirements of the company whose roads they may occupy, as to time and direction of running their cars.

Section 3. That the capital stock of said company shall consist of twenty thousand shares of twenty-five dollars each, and said company shall have power to raise on bonds any sum not exceeding one-half of their capital stock, for the purpose of carrying out the true intent of this Act.

Section 4. That dividends of so much of the profits of said company as may appear advisable to the board of managers, shall be declared in the months of January and July, in each and every year, and shall be paid at the office of said company, after ten days from the time of declaring the same: *Provided*, said dividends shall not in any case exceed the amount of the net profits of said company, so that the capital stock shall never be impaired thereby; and the said company shall annually pay into the treasury of the City of Philadelphia, for the use of said City, whenever the dividends shall exceed six per centum per annum on the capital stock, the sum of six per centum on the said dividends thus declared: *And Provided*, That the said company shall pave and keep in good repair, such portions of said street

as may be occupied by said railway: *Provided*, That the road hereby authorized to be laid and constructed shall be a trunk passenger railway; and all Passenger Railway Companies now incorporated, or hereafter to be incorporated, in the City of Philadelphia, shall be at liberty to intersect with and use the tracks of said company upon such terms as the companies concerned may agree upon; and should the companies concerned fail to agree upon proper terms, then they shall each appoint one disinterested person, who shall be approved of by the Court of Common Pleas of said city; and the two thus chosen shall choose a third person, also disinterested, who shall also be approved of by said court, and the three thus chosen shall determine on the terms of compensation on which the company hereby incorporated shall grant the use of its road to such other Railway Companies, or any of them.

SECTION 5. That the said company shall make and have a common seal, and shall also ordain and establish such by-laws and regulations as may appear necessary or convenient for the government of said company, and not being contrary to the constitution and laws of the United States, or of this Commonwealth, and generally to do all and singular the matters and things which to them it may lawfully appertain to do, for the well-being of said company, and the due ordering and managing of the affairs thereof, in accordance with the provisions of the Act regulating Railway Companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the supplements thereto; and at every annual election for President, Treasurer, and eleven Directors, each share of stock shall entitle the holder thereof to one vote. *Provided further*, That before the said company shall use and occupy the said streets, the consent of the Councils of the City of Philadelphia shall be first obtained, and said consent shall be taken and deemed to have been given, if said Councils shall not, within thirty days after the passage of this Act, by ordinance duly passed, signify their disapproval thereof; and the said company shall also be subject to an ordinance of the City Councils, entitled "An Ordinance to regulate Passenger Railways within the City of Philadelphia," approved the seventh day of July, one thousand eight hundred and fifty-seven.

G. NELSON SMITH,
Speaker of the House of Representatives, pro tem.
WILLIAM H. WELSH,
Speaker of the Senate.

Approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-eight. WM. F. PACKER.

(EXHIBIT "B.")

Pennsylvania, *ss.*

WM. F. PACKER,

In the name and by the authority of the Commonwealth of Penn-
[L. S.] sylvania, William F. Packer, Governor of the said Commonwealth,

To all to whom these presents shall come, sends greeting:

WHEREAS, An Act of the General Assembly of this Commonwealth, entitled "An Act to incorporate the Philadelphia and Gray's Ferry Passenger Railway Company," approved the ninth day of April, A. D. 1858, provides for the organization of a company by the name, style, and title of "The Philadelphia and Gray's Ferry Passenger Railway Company," subject to the provisions and restrictions of an Act entitled "An Act regulating Railroad Companies," approved the nineteenth day of February, A. D. 1849, and the several supplements thereto, by which acts the Governor of the Commonwealth is authorized and required to issue his letters patent, in the manner and at the time therein specified.

AND WHEREAS, The stipulations, conditions, and things in the said acts directed to be performed have, in all respects, been fully complied with;

NOW KNOW YE, That, in pursuance of the power and authority to me given by law, I, William F. Packer, Governor of the said Commonwealth, do, by these presents, which I have caused to be made patent and sealed with the seal of the State, create and erect the subscribers to the stock of the said company for the number of shares by them subscribed, viz:

William Young, Robert K. Neff, James McCahen, George H. Armstrong, Nelson Wanemacher, Stephen Norley, Montgomery Chambers, Daniel Hennon, Thomas McGettigen, Alexander McGettigen, Andrew Clark, Daniel M. Jones, John S. Thackaray, William L. Williams, William M. Reilly, Edward Brady, John S. Struthers, William A. Banes, John Schaeffer, Edward R. Helmbold, John Dick, William H. Cooper, Stephen Benton, and George W. Middleton, and also those who shall afterwards subscribe, into one body politic and corporate in deed and in law, by the name, style, and title of "The Philadelphia and Gray's Ferry Passenger Railway Company."

And by the said name the subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation; and the said subscribers, and those who shall afterwards subscribe, their successors and assigns, are generally to be invested with all the rights, powers, and privileges, with full force and effect, and subject to all the duties, requisites, and restrictions specified and enjoined in and by the said Acts of the General Assembly, and all other laws of this Commonwealth.

Given under my hand and the great seal of the State, at Harrisburg, this sixth day of May, in the year of our Lord one thousand eight hundred and fifty-eight, and of the Commonwealth the eighty-second.

By the Governor,

HY. L. DIFFENBACH,
Dep. Secretary of the Commonwealth.

(EXHIBIT "C."

Shares $25 each.

Incorporated by the Legislature of Pennsylvania, April 9, 1858.

Capital stock $500,000.

Philadelphia and Gray's Ferry Passenger Railway Company.

No. 225. Five Shares.

This is to certify, that Robert K. Neff is entitled to *five shares* of the capital stock of the Philadelphia and Gray's Ferry Passenger Railway Company, subject to all payments now due or to become due thereon.

Transferable only in person, or by power of attorney, in presence of the president or secretary, on the books of the Company.

Witness our hands and the seal of the Company.

Philadelphia, November 10th, 1858. [L. S.]

Signed, WILLIAM M. REILLY, *President.*
Signed, WILLIAM YOUNG, *Treasurer.*

132

BRIEF OF TITLE

TO

One Hundred and Sixteen Lots of Ground

ON THE WEST SIDE ELEVENTH AND BOTH SIDES OF JESSUP AND SARTAIN STREETS BETWEEN HUNTINGDON AND OAKDALE STREETS,

IN THE

TWENTY-EIGHTH WARD

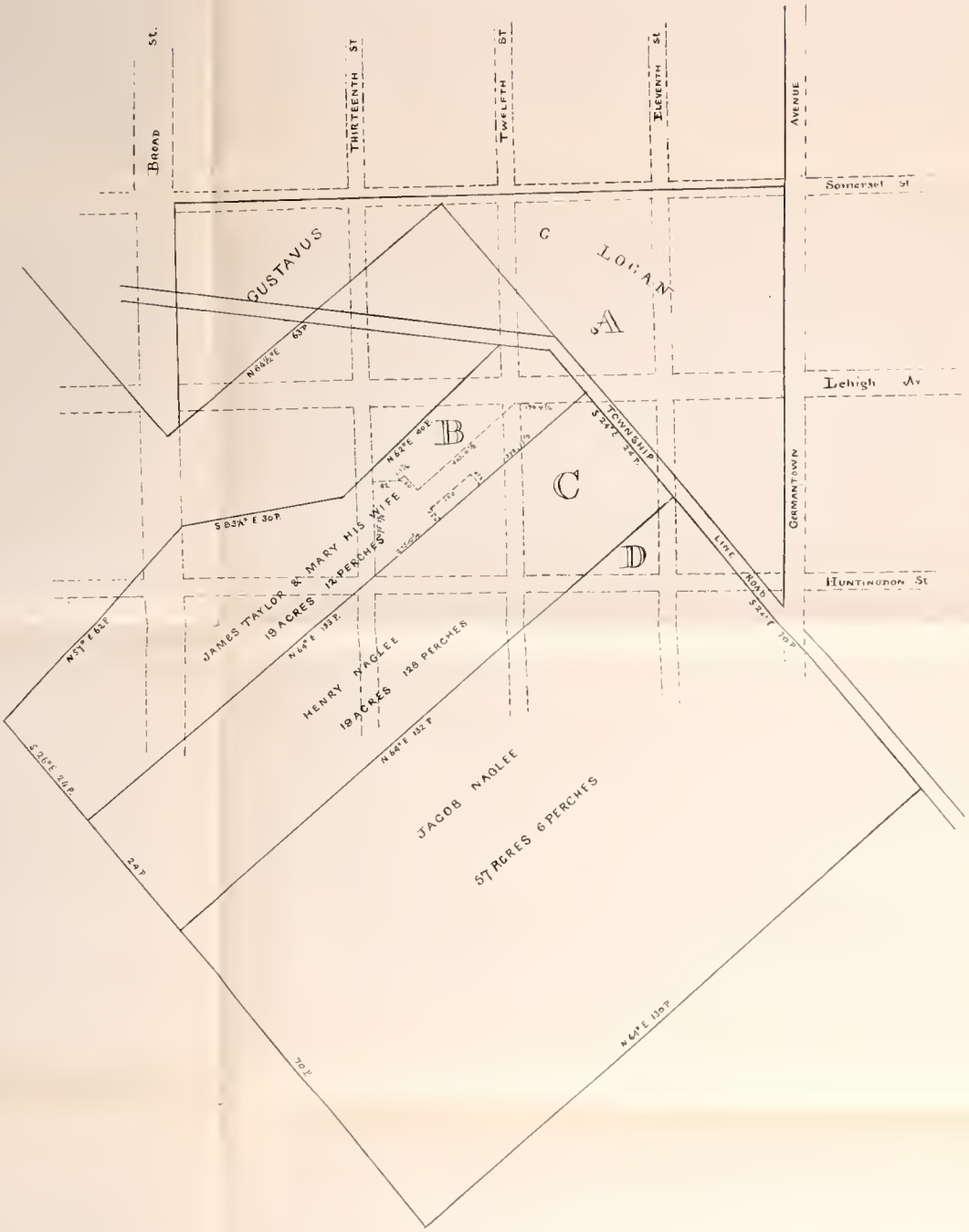
OF THE

CITY OF PHILADELPHIA.

Printed for Edwin T. Coxe, 524 Walnut Street.

A. L. FARRAND, PRINTER, 117 N. 4TH ST., PHILA.

PLAN N°1


Broad St.
Thirteenth St
Twelfth St
Eleventh St
Avenue
Somerset St
GUSTAVUS
LOGAN
A
B
C
D
Lehigh Av
Township Line Road
Germantown
Huntingdon St
JAMES TAYLOR & MARY HIS WIFE
12 PERCHES
19 ACRES
HENRY NAGLEE
19 ACRES 128 PERCHES
JACOB NAGLEE
57 ACRES 6 PERCHES
N 64° E 132 P
S 21° E 24 P
24 P
70 P
N 64° E 130 P

Brief of Title

TO

A Square of ground in the Twenty-eighth Ward of the City of Philadelphia. Bounded on the North by Lehigh Avenue, on the East by Eleventh Street, on the South by Huntingdon Street, and on the West by Twelfth Street.

The said Square of ground being composed of parts of the four several tracts of land marked respectively A. B. C. and D. on the Plan Number One hereto annexed.

Title to the lot marked "A" on the plan No. 1.

1686
31st of 3d Mo.
No. 1

Patent.—Commissioners of William Penn, Proprietary and Governor of the Province of Pennsylvania, to William Stanley, in fee, for a certain piece or parcel of land, in the Liberties of the City of Philadelphia. Beginning at a corner marked post standing by a street or road, being a corner post of the land belonging unto James Claypoole, thence East-Northeast by a line of marked trees by the said land, 113 perches to a corner marked post, thence North-Northwest by a line of marked trees, 113 perches to a corner, thence West-Southwest by a line of marked trees, 113 perches to a corner marked post, and thence South-Southeast by the said street or road, 113 perches to the first mentioned corner post, containing 80 acres of land, granted by a warrant from the Proprietary and Governor, dated 14th of 4th month, 1683, and laid out by order of the Surveyor General, the 12th day of the 3d month, 1685, unto William Stanley, purchaser.

Duly executed by James Claypoole and Robert Turner, two of the three commissioners sealed with the seal of the Province. Recorded 31st of 3d month, 1686, in Patent Book A. vol. 1. page 150, &c. and in Exemplification Record No. 1. page 120, &c.

1686
4th Mo. (June)
15
No. 2

Deed.—William Stanley, eldest son and heir of the said William Stanley, deceased, in consideration of £46 to Andrew Robeson, in fee, for the said last mentioned 80 acres of land.

Acknowledged 7th of 5th month (July), 1686. Recorded 13th of 5th month (July), 1686, in Deed Book E. 1, vol. 5, page 379, &c.

Deed.—Samuel Robeson, only son and heir of the said Andrew Robeson, deceased, to Arnold Cassell, in fee, for inter alia the said tract of 80 acres. 1696-7 Mar. 5 No. 3

Deed marked as produced in the printed Brief to Fair Hill and Sepviva Estates and recorded June 6, 1699, in Deed Book E. 3, vol. 5, page 276, &c.

Deed.—Arnold Cassell to Isaac Norris, in fee, for inter alia 76 acres, part of the said 80 acres, including therein the lot marked "A" on Plan No. 1. 1709 Jan. 19 No. 4

Duly executed, acknowledged and recorded February 13, 1709, in Deed Book E. 7, vol. 8, page 3.

Patent of Confirmation under the Great Seal to Isaac Norris of the City of Philadelphia, Merchant, recites that there is a certain tract of land, situate within the bounds of the Liberties of the City of Philadelphia. Beginning at a post by Gunner's Creek at a corner of Thomas Fairman's land, thence Northwest through the marsh or swamp to a post by the edge of the fast land, thence continuing the same course $53\frac{3}{4}$ perches to a post, thence Southwest 30 perches to a post, thence Northwest 32 perches to a post, thence Northeast 30 perches to a post, thence Northwest 130 perches to a post, thence North 70 degrees, West 157 perches to a corner white oak, all the lines before mentioned continuing by the said Thomas Fairman's land, thence North-Northwest by John Goodson's land 80 perches to a post, thence West-Southwest by said John Goodson's land 24 perches to a corner post, thence North-Northwest by said John Goodson's land, Elizabeth Palmer's land and other lands 450 perches to a post, thence East-Northeast 113 perches to a post, thence South-Southeast 52 perches to a post, thence East-Northeast 113 perches to a great poplar tree marked for 1713 Oct. 8 No. 5

a corner, thence South-Southeast by Nicholas Waln's land 84¾ perches to a corner post, thence West-Southwest by the said Nicholas Waln's land, 113 perches to a post, thence South-Southeast by the said land, 29¼ perches to a post, thence by land late of George Fox, deceased, West-Southwest 56 perches to a corner black oak, thence South-Southeast 56 perches by said Fox's land to a corner post, thence East-Northeast by the said Fox's land, 16 perches to a post at a corner of the land belonging to Fair Hill Meeting House, thence South-Southeast by said Meeting House land, 16 perches to a corner post, thence by the same Meeting House land, East-Northeast 40 perches to a post, thence South-Southeast by John Furness' land, 97 perches to a post, thence East-Northeast by said Furness' land, 113 perches to a post, thence South-Southeast by Joseph Growden's land, 242 perches, thence East-Northeast by the said Growden's land, 88 perches to a post, thence South-Southeast by the said Growden's and by Francis Rawle's land, 162 perches to a hickory tree by the said Gunner's Creek, thence down the several courses thereof to the place of beginning: laid out in several parcels for about 824 acres in the whole. And it further recites, inter alia, that 16 acres thereof were laid out to Enoch Flower in right of John Kingsman and John Harding, original purchasers of 500 acres each and 8 acres to Andrew Griscomb, purchaser of 500 acres, and 12 acres more were also surveyed but not confirmed to the said Andrew Griscomb, 8 acres thereof in right of George Simcock, original purchaser of 500 acres and the other 4 acres in the right of Henry Sleighton, like purchaser of 250 acres, and 16 acres were confirmed to William Carter, 8 thereof in right of his own original purchase of 500 acres, and 4 acres in right of Nehemiah Mitchell, like purchaser of 250 acres, and the other 4 acres in right of Sarah Woolman, like purchaser of the same quantity, viz: 250 acres, and 15 acres, 29 perches

were confirmed to Margaret Cook in right of Francis Barrows, like purchaser of 1000 acres, and 8 acres were laid out to Priscilla Shepherd, who intermarried with John Martin, in right of her original purchase of 500 acres, and 8 acres in right of Elizabeth Sims, like purchaser of 500 acres, who intermarried with John Rowland, and 4 acres to William Harmer in right of Edward Jeffries, like purchaser of 250 acres, and 4 acres were laid out to Ralph Ward in right of his and Joseph Coleman's original purchase of 250 acres, and 80 acres to William Stanley in right of his purchase of 5000 acres, &c. as therein recited. And further reciting that 7 acres more had been recently taken up by the said Isaac Norris to make good in part the deficiency in the other aforementioned lands and that the said lands were in all the possession of the said Isaac Norris who by virtue of divers mesne conveyances and good assurances in the law, was seized in the fee thereof and thereupon requesting a confirmation of the same by patent, the aforementioned and particularly described tract was given, granted, released and confirmed unto the said Isaac Norris, his heirs and assigns forever.

Recorded April 3, 1714, in Patent Book A. vol. 5, page 14, &c.

1731–2 Jan. 17 No. 6

Will of the said Isaac Norris of Fair Hill, wherein and whereby, after sundry legacies to sundry persons and sundry bequests to his wife Mary, he devises his dwelling house called "Fair Hill" and the plantation with the appurtenances, bounded Eastward and Westward with the outlines, Northerly with his other plantation then in the tenure of John Rigly and by land lately James Tuthill's, Southerly by the Frankford Road or his other plantation called Sepviva, containing about 530 acres to his said wife for life, which said bequests and the devise of the Fair Hill plantation to her he declared to be in lieu of her

dower, &c. and he further devises as follows: "This dwelling house and plantation I do appoint after the decease of my wife, to return and be part of my estate and accordingly I do hereby devise the said estate called "Fair Hill" to my Trustees hereinafter named, for them to sell and to pay the money which it sells for to my executors or the survivors or survivor of them, hereby giving full power to my Trustees or the majority survivor or executors of the survivor of them, so to sell and make good and lawful conveyance for the same to the purchaser. And Whereas this said place has been some employment and delight to me in contriving, building and improving thereon, and as the situation seems to carry prospect of advancement, although as the circumstances of my family and estate stand at present I cannot think it convenient and proper to give it to any one of my sons, yet as it would be a pleasure to me while living to think that any sober, religious and careful descendant of mine might enjoy it, I do hereby direct and authorize my said Trustees to give any such my descendants the preference who may be desirous and able to purchase the said estate, although at a much cheaper rate or price than may be thought the value or that it might be sold for to any other person. And after sundry other specific devises and bequests not affecting the premises in question he did further direct that the surplusage and residue of all his estate, real and personal, over and besides the defraying the necessary charges of executing his will should be equally divided among his children, sons and daughters, share and share alike. And he nominated his said wife Mary, executrix, and his three sons, Isaac, Charles and Samuel, executors jointly with her of his said will, and he further devised to them all his estate not specifically devised, with power to sell and convey with a good title and to make application or distribution of the proceeds, said sales to be made with the advice of his Trustees therein named, viz: James

Logan, Israel Pemberton and the testator's son in law, Richard Harrison.

By a Codicil to the said Will, the said Isaac Norris under date of August 4, 1734, his son Joseph being then deceased, annuls all the devise of estate, real and personal given to said Joseph and declares the same shall revert to his estate and become part of the residue thereof with the exception of some books.

Proved June 16, 1735, and registered at Philadelphia in Book of Wills E, page 337, &c.

1741 Dec. 2 No. 7

Deed.—Thomas Griffits and Mary, his wife, (one of the daughters of said Isaac Norris) in consideration of £1000 to Isaac Norris, in fee, for inter alia the one undivided seventh part of and in the "Fair Hill" capital messuage and tract of land, saving only the life interest of Mary Norris relict of the said Isaac Norris, deceased: reciting inter alia a deed of bargain and sale for one year to said Isaac Norris dated the day previous.

Proved by subscribing witness August 12, 1747. Recorded Philadelphia November 25, 1749, in Deed Book G, Vol. II, page 522, &c.

1743 Oct. 29 No. 8

Deed —Charles Norris, Samuel Norris, Richard Harrison and Hannah, his wife, Elizabeh Norris and Deborah Norris, in consideration of £1000 to Isaac Norris of Fair Hill, in fee, for their five undivided seventh parts of in and to the capital messuage and plantation known as "Fair Hill," described as follows, viz: Beginning at a Spanish Oak marked I. N., thence extending East-Northeast by John Rigley's land 56 perches to a Red Oak being a corner of the Meeting's land late of George Fox, thence South-Southeast by the same land 56 perches to a a stake being another corner of the same land, thence East-Northeast by the same land 16 perches to a corner

of Fair Hill Meeting House land, thence South-Southeast by the same land 16 perches to another corner of said Meeting House land, thence East-Northeast by the same land 40 perches to another corner of said Meeting House land in the line of Lacey's land which was formerly Tuthill's, thence South-Southeast by said Lacey's land, 97 perches to a stone at another corner of Lacey's land, thence East-Northeast by the same land, 127 perches to a corner stake, thence South-Southeast by land then or late of Growdon, 242 perches to a corner stake, thence East-Northeast by the same land, 74 perches to a corner stake, thence South-Southeast by the same land, about 25 perches to Frankford Road, thence South 43 degrees, East (?) by the same road, about 205 perches to a corner stake, thence North-West by land formerly belonging to Fairman, about 118 perches to a corner stone, thence North 70 degrees, West by land then late of Fairman and others, 78 perches to a white oak stump, thence North-Northwest by land formerly of John Goodson, 80 perches to a corner stake, thence West-Southwest by the same land, 24 perches to another stake by Germantown Road, thence North-Northwest by land formerly of Goodson Palmer and others, 283 perches to the place of beginning, containing 535 acres or thereabouts, (including therein the 76 acres conveyed by deed Item No. 4, this Brief). Subject to the life Estate of Mary Norris, mother of the parties hereto.

Duly executed by all except Richard Harrison, proved by a subscribing witness, December 19, 1749. Acknowledged April 4, 1757 by said Hannah Harrison, widow of the said Richard Harrison, then deceased. Recorded December 2, 1799, in Deed Book No. 76, page 475, &c.

1754 Jan. 7 No. 9

Deed of Release.—Isaac Griffitts, only son and heir at law of Thomas Griffitts deceased by Mary his wife, formerly Mary Norris also deceased, to the said Isaac Norris, releasing and confirming unto him in fee, (in his full actual and peaceable possession and seizen then being), the said "Fair Hill" Estate.

Acknowledged same day. Recorded December 24, 1846, in Deed Book A. W. M., No. 23, page 433, &c.

1761 Nov. 4 No. 10

Deed of Release.—The said Hannah Harrison, widow, formerly Hannah Norris, to her brother the said Isaac Norris, releasing and confirming unto him, in fee, (in his full actual and peaceable possession and seizen then being), the said "Fair Hill" Estate.

Acknowledged November 19, 1761. Recorded December 24, 1846, in Deed Book A. W. M., No. 23, page 434, &c.

1766 July 13 No. 11

The said Isaac Norris departed this life leaving Mary Norris and Sarah Norris his only surviving issue.

Recited.

1767 Nov. 17 No. 12

Deed endorsed on Deed of December 2, 1741, (see Item No. 7), Mary Griffitts and Hannah Griffitts, daughters and co-heiresses of Thomas Griffitts and Mary, his wife, the grantors within named to the end that Mary Norris and Sarah Norris, daughters and co-heiresses of Isaac Norris, the grantee within named, and the purchasers from them might not suffer for want of any of the formalities required by law for the conveyance of the estate of a feme-covert, and in consideration of the further sum of 5 shillings to the said Mary Norris and Sarah Norris their Heirs and assigns as tenants in coparcenary by descent of law from their father, for all the premises

and hereditaments in the said within deed described and granted or mentioned and intended so to be.

Acknowledged December 28, 1767. Recorded January 16, 1768, in Deed Book I, Vol 4, page 91, &c.

1769 June 24 No. 13 — The said Sarah Norris departed this life having never married, whereupon her sister became sole seized of all the estate formerly of their father, the said Isaac Norris.

1770 July 19 No. 14 — The said Mary Norris intermarried with John Dickinson.

1778 May 21 No. 15 — **Deed.**—John Dickinson and Mary, his wife, in consideration of £30,000 to Cæsar Rodney, in fee, for inter alia all and singular the messuages, lots, lands and quit rents, tenements and hereditaments in the City of Philadelphia and in the County of Philadelphia and in either of them, with the appurtenances which had descended to and become vested in the said Mary as heiress of her deceased father, Isaac Norris of Fair Hill, and of her deceased sister, Sarah.

Ackowledged July 20, December 10, 1778. Recorded September 29, 1788, in Deed Book D, 20, page 404, &c.

1778 Aug. 1 No. 16 — **Deed.**—Cæsar Rodney in consideration of £31,000 to John Dickinson, in fee, for all and singular the messuages, lots, lands, tracts, plantations, ground rents, tenements and hereditaments in the City of Philadelphia and County of Philadelphia and in either of them, granted and conveyed to the said Cæsar Rodney by the last above recited deed.

Acknowledged same day and March 19, 1782. Recorded September 29, 1788, in Deed Book D, No. 20, page 403, &c.

1803
1st Mo. 31
No. 17

Will of John Dickinson of Wilmington, formerly of Philadelphia, wherein and whereby he did inter alia give and devise to his daughter Maria Dickinson, and the heirs of her body, (subject to his wife's life interest), as follows: "All my lands and tenements situated in the Northern "Liberties of the City of Philadelphia, and lying on the "Westwardly side of the Public main road or highway "leading from the said City to Germantown, consisting of "a plantation or tract of land containing about 40 Acres— "Bounded Eastward by the road last aforesaid and South- "wardly in part by the road leading from the said Ger- "mantown Road to the falls of Schuylkill, and in part by "the road leading up to the Mansion House at Somerville, "heretofore in the tenure of David Rohrman and now of "Charles Brown." And by a second Codicil dated 4th month 9th, 1807, the said testator did will and devise after reciting the decease of his said wife inter alia as follows, viz: "And in like manner I hereby give and de- "vise to my youngest daughter Maria Dickinson, and to "her heirs an estate in fee simple in all and singular the "lands and tenements in the said testament and last Will "mentioned in which I thereby gave to her an estate in "fee tail."

Will and Codicils proved March 21, 1808. Registered in Book of Wills No. 2, page 266, &c.

1859
Nov. 8
No. 18

Will of Maria D. Logan, widow (daughter of John Dickinson), wherein and whereby she did inter alia give and devise her estate called "Somerville," situate in the City of Philadelphia, as consolidated on the West side of the Germantown Road, and containing according to a survey made by Henry Haines, 12th mo. 1st day, 1853, 164 acres 151 perches, including streets more or less as

follows, namely: One equal undivided fourth part thereof to her son, Gustavus George Logan, his heirs and assigns, one other equal undivided fourth part to her son, John Dickinson Logan, his heirs and assigns, one other equal undivided fourth part to William Rotch Wister and Joseph Bringhurst and the survivor and the heirs and assigns of such survivor, in trust as therein mentioned, and the other and remaining equal and undivided fourth part to the said William Rotch Wister and Joseph Bringhurst and the survivor of them and the heirs and assigns of such survivor in trust as therein mentioned. And the said testatrix did further will and direct inter alia for the purpose of effecting a partition of the said Somerville property as easily and speedily as possible, that appraisers or referees should be appointed one by each of her sons, one by the trustees of her grandson and one by the trustees of her daughter, and if the said referees made an even number they should themselves appoint one other and should then or a majority of them proceed to make as even and equal a partition as might be of, inter alia, the said Somerville property and to allot and assign the respective purparts thereof to the several parties charging any purpart with an annual rent redeemable at any time or with the payment of a sum of money if necessary for equality of partition, and she did further direct that the said appraisers or referees or a majority of them should execute deeds and partitions, one or more designating, allotting and assigning the several purparts or shares in accordance with this her said Will such deeds and partitions, to vest the same in her devises as aforesaid and to be final and conclusive. And lastly the said testatrix appointed John Dickinson Logan, M.D. and John Lambert, Attorney to be executors of her said Will.

1860 Jan. 24 No. 19

Codicil to said Will —The said Testatrix revoked the devise of, inter alia, one fourth part of said Somerville property to her said son Gustavus George Logan and devised the same to William Rotch Wister and J. Dickinson Sergeant and the survivor of them and the heirs and assigns of such survivor in trust to collect the income of the same and, inter alia, upon the decease of the said Gustavus George Logan to hold the same (subject to his wife's right to one-half the income thereof during her life) for the children of himthe said Gustavus George Logan and his said wife, Anna A. Logan, share and share alike, the issue of any deceased child taking their parent's share and in default of such issue, him surviving then to hold the same subject as aforesaid for the other children of the said testatrix, share and share alike, the issue of any deceased child taking the parents share: and all provided for in this Codicil to take as purchasers and not by limitation: and the said trustees to have full power to let, sell and dispose of the said trust estate or any part thereof either in fee or otherwise without any responsibility attaching to the purchaser or purchasers all of which will more fully appear by said Codicil.

Will and Codicil proved September 20 and 27 1860. Registered at Philadelphia in Book of Wills, No. 44, page 405. &c.

1861 Feb. 1 No. 20

Deed of Appointment under the hands and seals of Gustavus George Logan, John Dickinson Logan, William Rotch Wister and Joseph Bringhurst, Trustees of Mary Norris Logan, and the said William Rotch Wister and Joseph Bringhurst, Trustees of Samuel Betton, reciting inter alia the last above recited Will of Maria Dickinson Logan and the Codicil thereto, and respectively and collectively nominating and appointing Lewis H. Redner, Andrew D. Cash, Charles H. Muirheid and George H. Thompson as the appraisers or referees in conjunction

with a fifth appraiser or referee to be by them appointed to make partition of inter alia the said Somerville Estate in accordance with the said Will and Codicil.

Acknowledged February 11, 1861. Recorded February 1, 1862, in Deed Book A. C. H, No. 28, page 67, &c.

1861 Feb. 1 No. 21

Deed under the hands and seals of the said Lewis H. Redner, Andrew D. Cash and George H. Thompson, accepting the said appointment and appointing Henry Haines as the fifth appraiser or referee.

Acknowledged February 12, 1861. Affixed to to the last above recited deed and recorded with it.

1861 Feb. 1 No. 22

Deed under the hand and seal of the said Henry Haines accepting the said appointment.

Acknowledged February 12, 1861. Written on the last recited deed and recorded herewith.

1861 Nov. 9 No. 23

Deed of Partition under the hands and seals of the said Lewis H. Redner, Andrew D. Cash, Charles H. Muirheid, George H. Thompson and Henry Haines, reciting inter alia the instruments recited in the preceding four items of this Brief, and that they the said appraisers had made a partition of the said Somerville Estate into four parts or shares, charging the share allotted to the said John Dickinson Logan with the payment of the sum of 1050 Dollars for equality of Partition and allotting, assigning and delivering inter alia as follows, viz: (see plan No. 1 annexed to this Brief), to the said William Rotch Wister and J. Dickinson Sergeant, Trustees for Gustavus George Logan et al. as aforesaid inter alia the Southeasterly portion of the said Somerville Estate. Bounded Eastwardly

by the Germantown Turnpike, Westwardly by Broad Street and Northwardly by the middle of Somerset Street.

Acknowledged November 19, 1861. Recorded February 1, 1862, in Deed Book A. C. H, No. 28, page 72, &c.

1871 April 21 No. 24

Act of Assembly of the Commonwealth of Pennsylvania, entitled, "An Act to vacate part of Township Line Road in the 28th Ward, City of Philadelphia."

Section 1.—That part of Township Line Road in the 28th Ward, City of Philadelphia, between Germantown Avenue and Lehigh Avenue, be, and the same is hereby vacated.

Pamphlet Laws 1871, page 491.

1872 April 24 No. 25

Deed.—William Rotch Wister and J. Dickinson Sergeant, Trustees for Gustavus G. Logan, and wife, under the said Last Will and Testament of Maria D. Logan, deceased, to Joseph J. Canavan, in fee, for All That Triangular lot of Ground Situate in the Twenty-eighth Ward of the City of Philadelphia. Beginning at the Southwest corner of Lehigh Avenue and Eleventh Street, thence Southward along the West side of Eleventh Street 207 feet and one half of an inch more or less to a point in the middle of Township Line Road, now vacated, thence Northwestward along the middle of Township Line Road vacated as aforesaid, 264 feet 2 and one-quarter inches more or less to the South line of Lehigh Avenue (80 feet wide), thence Eastward along the South side of the said Lehigh Avenue, 164 feet and five-eights of an inch more or less to the West side of the said Eleventh Street, the first mentioned point and place of beginning.

Under and subject to the restriction that no court houses, carpenter, blacksmith, currier or machine shop, livery stable, slaughter house, soap or glue boiling establishment or factory of any kind where steam power is

used, or any building for any offensive occupation should at any time thereafter be erected or used on the above described lot of ground.

Reserving thereout unto the said William Rotch Wister and J. Dickinson Sergeant and the survivor of them and the heirs and assigns of such survivor In Trust for the uses and purposes set forth in and by the said Will of Maria D. Logan, respecting the share therein given and devised in trust for the testatrix's son Gustavus G. Logan and Anna A., his wife, the yearly ground rent or sum of $420 in equal half-yearly payments on the 1st day of the months of January and July in every year.

See Item 141-p 92 for Extinq.

Acknowledged same day. Recorded April 26, 1872, in Deed Book J. A. H. No. 239, page 212, &c.

Title to the Lots marked B. C. and D. on Plan No. 1.

1682
April 26 & 27
No. 26

Lease and Release.—William Penn to George Palmer, in fee, for a tract of land in the Northern Liberties. Beginning at a marked post, being a corner of John Goodson's land, thence by the same, East-Northeast 113 perches to a corner marked post, thence North-Northwest by a line of marked trees, 156 perches to another corner marked post, thence West-Southwest by a line of marked trees, 113 pesches to a marked post for a corner, thence South-Southeast by a line of marked trees, 156 perches to the place of beginning, containing 80 acres Being part or parcel of, or appurtenant unto George Palmer's original purchase of 5000 acres of land.

Recited.

Deed.—Thomas Palmer, (one of the sons of George Palmer, deceased) and Sarah, his wife, and William Palmer (another son), and Elizabeth, his wife, to Lloyd Zachary, in fee, for inter alia the same 80 acres.

Handwriting of one of the subscribing witnesses proved September 8, 1743. Recorded September 13, 1743 in Deed Book G. No. 4, page 237, &c.

1726 June 17 No. 27

Deed of Lease and Release.—Lloyd Zachary to Richard Hill, in fee, for the same 80 acres.

Recited in next deed.

1728 Oct. 12 & 13 No. 28

Will of the said Richard Hill, devising the residue of his estate, (including the said 80 acres of land) unto Richard Hill and his sister Hannah.

Proved September 12, 1829 and Registered at Philadelphia in Book of Wills E. page 112, &c.

1729 Aug. 28 No. 29

Deed.—Richard Hill and Samuel Preston Moore and Hannah, his wife, (late Hannah Hill) to John Naglee (by the name of Naglee) in fee, for the same 80 acres.

Acknowledged September 1, 1743 and October 22, 1751. Recorded November 1, 1751, in Deed Book H. No. 2, page 96, &c.

1743 Sept. 2 No. 30

Patent.—William Penn, absolute Proprietary of the Province of Pennsylvania, by his Commissioners, William Markham, Samuel Carpenter and Robert Turner, to John

1690 20th of 2d Mo. No. 31

Goodson, in fee, for a tract of land in the County of Philadelphia. Beginning at a corner post of Thomas Holmes and the widow Palmer's land, standing by Cohocksinck Creek, thence North-Northwest by the said Palmer's land 113 perches, thence East-Northeast by the same land, 52 thence North-Northwest by a line of trees 100 perches, thence West-Southwest by a line of trees, 162 perches, thence South-Southeast by a line of trees, 280 perches to a corner post, thence North 37 degrees, Easterly by the aforesaid Holmes' land, 128 perches to the place of beginning, containing and laid out for 200 acres of land. (Patent granted by virtue of a Warrant dated 16th of 2d month, 1690, and laid out by Surveyor General's order, 17th of said month, 1690, unto John Goodson.)

Recorded 23d of 3d month, 1690 in Patent Book A. vol. 1, page 265, and at Philadelphia in Exemplification Record No. 1, page 185, &c.

1711
1st of 4th Mo.
No. 32

Deed.—John Goodson to Job Goodson (son and heir apparent of said John Goodson) for, inter alia, a tract of land. Beginning at a corner post of the land of the widow Palmer, thence by the same land North-Northwest 113 perches to another corner post of said Palmer's land standing in the division line dividing this from one hundred acres of other land of said John Goodson (being the remaining portion of said two hundred acre tract) thence West-Southwest one hundred and twenty perches, along the said division line of marked trees to a post for a corner, thence South-Southeast one hundred and eighty perches to a corner post, thence North thirty seven degrees, Easterly one hundred and twenty-eight perches to the place of beginning, containing one hundres acres more or less. (Being part of the above described tract of two hundred acres), to hold one moiety thereof to the use and behoof of the said John Goodson, and his assigns, for

and during the term of his natural life and from and after his decease, to the use and behoof of the said Job Goodson, his heirs and assigns forever.

Acknowledged June 5th, 1711. Recorded June 16, 1711, in Deed Book E. 8, vol. 8. page 35, &c.

The said John Goodson afterwards departed this life. Recited in next Deed No. 33

Deed.—Job Goodson and Jane, his wife, to the said John Naglee (by the name of Neglee), in fee, for inter alia a tract of land (including the greater portion of the above described tract of one hundred acres). Beginning at a corner post of land late of the widow Palmer standing by Cohoxing Creek, it being also a corner of the above mentioned 80 acre tract, thence by said Palmer's land, North-Northwest 113 perches to a corner post, thence continuing by the same land, East-Northeast 50 perches, thence partly by an eight acre tract and partly by land of Isaac Norris, North-Northwest 100 perches to a stump near a tree marked J. G., thence West-Southwest by a line of trees, 162 perches to a corner post, thence East-Southeast by a line of trees, 232 perches to a post in the middle of the road dividing this from William Adam's land, thence along said road, East-Northeast 105 perches to a corner black oak, and thence North 37 degrees, East 16 perches to the place of beginning, containing by computation, 205 acres or thereabouts. 1737 Nov. 14 No. 34

Acknowledged November 16, 1737. Recorded May 23, 1738, in Deed Book F. No. 10, page 55, &c.

The said John Naglee being so as aforesaid seized in his demesne as of fee of and in (inter alia) the said tracts of Eighty acres and Two hundred and five acres, afterwards departed this life having first made and published No. 35

his Last Will and Testament in writing, next hereinafter recited.

1751 Aug. 20 No. 36

Will of the said John Naglee, devising the rest and residue of his estate, real and personal (in which said two tracts of land were included) unto his beloved wife, Catharine during her natural life, in lieu of dower and after her decease he devised the same to and among his five children, viz: John, Jacob, Henry, Ann, Mary part and share alike and to their several and respective heirs, executors, administrators and assigns forever, to be equally divided between them.

Proved October 7, 1751, and Registered at Philadelphia, in Book of Wills I, page 432, &c.

1755 Aug. 25 No. 37

Deed.—Catharine Naglee, (widow of John Naglee, deceased) John Naglee and Elizabeth, his wife, Jacob Naglee and Elizabeth, his wife, Henry Naglee, Ann Forbes, (widow) and James Taylor and Mary, his wife, (the said John, Jacob, Henry, Ann and Mary being all the children of said John Naglee, deceased), to Isaac Norris, in fee, for inter alia the said tracts of Eighty acres and Two hundred and five acres.

Acknowledged November 11, 1756. Recorded March 21, 1757, in Deed Bork H. No. 7, page 479, &c.

Title to the said lot marked B. on Plan No. 1.

For the title into Isaac Norris, see Item No. 37 of this Brief.

1755 Sept. 1 No. 38

Deed.—Isaac Norris to James Taylor and Mary, his wife, and her heirs and assigns for, inter alia, a certain tract of land (being part of the said tract of 205 acres) situate in the Northern Liberties. Beginning at a stake on the side of the Road leading to the Falls of Schuylkill at a corner of land late of Ann Forbes, thence along the said land, the three courses and distances next following, to wit: South 62 degrees, West 40 perches, North 83½ degrees, West 30 perches and South 57 degrees, West 62 perches to a stake, thence by John Naglee's land, South 26 degrees, East 24 perches to a stake at a corner of Henry Naglee's land, thence by the same, North 64 degrees, East 133 perches to a stake in the side of Germantown Road, thence along the same, North 24 degrees, West 10 perches to a stake at a corner of the Fall's Road, and thence along the same North 67 degrees, West 9 perches to the place of beginning, containing 19 acres and 12 perches.

Acknowledged November 11, 1726. Recorded October 24, 1758, in Deed Book H. No. 9, page 239, &c.

1756 Dec. 20 No. 39

Deed.—James Taylor and Mary, his wife, to Joseph Richardson, in fee, for (inter alia) the said 19 acres and 12 perches.

Acknowledged December 29, 1756. Recorded October 25, 1758 in Deed Book H. No. 9, page 244, &c.

1756 Dec. 24 No. 40

Deed.—Joseph Richardson to James Taylor and Mary his wife, their heirs and assigns for (inter alia) the said 19 acres and 12 perches. To hold to them the said James

Taylor and Mary, his wife, and the survivor of them and the heirs and assigns of the survivor of them forever.

Acknowledged March 26, 1757. Recorded October 26, 1758 in Deed Book H. No. 9, page 247, &c.

No. 41 The said James Taylor survived his wife Mary and became seized in fee of (inter alia) the said tract of 19 acres and 12 perches by right of survivorship and afterwards intermarried a second time and died, having first made his will in writing.

1773 Nov. 22 No. 42 **Will** of James Taylor, wherein he devised to his wife Rachael for life, $\frac{1}{3}$ part of the rents and profits of his real estate in lieu of dower and all the rest, residue and remainder of his estate, real and personal, including the said tract of 19 acres and 12 perches, he devised to his four children, George, Elizabeth, Francis and James, in fee, as tenants in common.

Proved March 23, 1774. Registered at Philadelphia in Book P. page 546, &c.

1785 Sept. 9 No. 43 **Return** of Thomas Proctor, Esquire, High Sheriff of the City and County of Philadelphia, and Inquest, allotting and assigning (inter alia) the said tract of 19 acres and 12 perches marked on a certain plan D. No. 4, unto Elizabeth Taylor, her heirs and assigns forever.

1796 Aug. 25 No. 44 **Deed.**—Rachel Taylor, widow of James Taylor, Elizabeth Taylor and George Taylor to Moses Nathans, in fee, for said 19 acres and 12 perches.

Reciting that Elizabeth Taylor sometime since for a valuable consideration to her paid, did bargain and sell, but did not actually convey by any Deed, the said piece of land, with the appurtenances, unto her brother, the

said George Taylor, who has bargained and sold the same to Moses Nathans.

Acknowledged same day. Recorded August 25, 1796 in Deed Book D. No. 58, page 248, &c.

No. 45

Moses Nathans being so seized of the said tract of land (inter alia) of 19 acres and 12 perches, died sometime in the month of February, 1815, leaving issue, to wit: EIGHT children, Miriam, Jacob, Isaiah, Rececca, Nathan, Isabella, Sophia and David, to and in whom the said premises descended, subject to the dower of their mother, Sarah, therein. And the said Sarah is since deceased.

1818
Sept. 10
No. 46

Deed Poll.—Thomas Truxton, Esquire, High Sheriff of the City and County of Philadelphia to John Cridland and Miriam, his wife, formerly Miriam Nathans, Isaiah Nathans, Rebecca Nathans, Nathan Nathans, Isabella Nathans and Sophia Nathans, the other children of the said Moses Nathans, deceased, their heirs and assigns for David's interest, at the time of his death, in the above described tract of land (inter alia) of 19 acres and 12 perches.

Which property, late property of David Nathans was seized by the Sheriff at the suit of Jacob Nathans and sold to said John Cridland and Miriam, his wife, Isaiah Nathans, Rebecca Nathans, Nathan Nathans, Isabella Nathans and Sophia Nathans, by virtue of a certain Writ of Venditioni Exponas tested at Philadelphia the 3d day of June, 1818.

Acknowledged in Open District Court, September 26, 1818, and entered among the records thereof in Book C. pape 5, &c.

1818
July 17
No. 47

At an Orphan's Court held at Philadelphia, for the City and County of Philadelphia, the petitian of John Cridland and Miriam, his wife, late Miriam Nathans, daughter of Moses Nathans, deceased, was presented, setting forth that Moses Nathans died intestate in February, 1818, seized of sundry messuages, lands and lots of ground in the City and County of Philadelphia, in his demesne as of fee, leaving SEVEN children, to wit: Miriam, the Petitioner, Jacob, Isaiah, Rebecca, Nathan, Isabella and Sophia the three last named yet in minority. That Jacob sued out a Writ of Partition in the District Court for the City and County of Philadelphia, and hath therein received his portion in severalty. That the residne of the Intestate's real estate remained undivided, and the Petitioners being desirous to improve themselves of their portion thereof which to them it appertained to have and to hold, prayed an Inquest might be awarded to make partition of the said Intestate's estate left to be divided, etc., incluing the 19 acres and 12 perches, inter alia.

Inquest awarded September 22, 1818.

1818
Oct. 17
No. 48

Prayer of the Petitioners amended by inserting the name of Sarah Nathans, widow of Moses Nathans, deceased.

1818
Oct. 15
No. 49

Return of Thomas Truxton, Esquire, High Sheriff of the City and County of Philadelphia, and Inquest allotting and assigning unto the said Nathan Nathans, one of the children and heirs of the said Moses Nathans, deceased.

A triangular lot at the corner of Township Line Road leading to Falls of Schuylkill and Field on Islington Lane or new Falls Road.

The share of the widow, Sarah Nathans being secured thereon according to law payable to her during her natural life.

Orphans' Court Docket No. 27, page 173, &c.

1840
May 16
No. 50

Deed of Marriage Settlement by and between Catharine C. Hort of the first part, Nathan Nathans of the second part, and Rebecca Nathans of the third part, wherein the said Catharine C. Hort in consideration of her then intended Marriage with the said Nathan Nathans, and with his privity and approbation did grant and convey unto the said Rebecca Nathans, her heirs, executors, administrators and assigns, all the real and personal estate whatsover and wheresoever situated, of which she, the said Catharine was then seized and possessed or entitled. In trust as therein set forth, and it was provided that whenever and as often as the said Trustee or Trustees of the premises for the time being, should have in hand any principal, amount or capital sum of money whatever other than the rents, issues and profits, income, dividend or interest, the same should from time to time as received be invested in the name or names of such Trustee or Trustees for the time being in real estate, etc., such as the said Catharine C. Hort might by writing under her hand, direct and appoint, the interest and income to be thenceforth subject to the Trust therein set forth. And it was thereby further declared for and concerning the investments then or thereafter to be made, it should and might be lawful at all times during the continuance of any trust thereby created to and for the Trustee or Trustees for the time being at her or their discretion with the consent in writing of the said Catharine C. Hort if living to vary and change the same and to re-invest the same in real estate or upon security of mortgages, ground rents, to be held upon the same trusts as the former investments respectfully, and for such purposes the principal or capital secured by any such investment might be from time to time received in the whole or in part by the said Trustee or Trustees for the time being as the same might be paid off or required, and such principal or capital might be

called in and collected for the purpose of being so invested or the securities for the same might be sold, assigned and disposed off, and the proceeds so invested anew whenever and so often as the said Trustee or Trustees for the time being might deem it proper or convenient to make such alteration in the premises.

And it was thereby further declared that as for and concerning all and every the sum or sums of money whether as consisting of capital or income or of proceeds of such sale or other disposition or dispositions or whatsoever the same might consist, which might from time to time be received by any Trustee or Trustees of the premises for the time being the receipt of such Trustee or Trustees should be valid, effectual and sufficient discharge therefor to the persons respectively paying the same who should not be in any wise liable or responsible for the application, non-application, or mis-application of the same.

Acknowledged same day. Recorded same day in Deed Book G. S. No. 13, page 536, &c.

The said intended marriage was afterwards duly had and solemnized.

A Certain Tract of 11 acres 103 perches of land was taken in execution and sold as the estate of the said Nathan Nathans. The following are copies of the Docket Entries in the District Court for the City and County of Philadelphia.

Appearance Docket.

December Term, 1839.

Samuel Abbot who survived Geo. D. Heberton, late trading under the firm of Heberton and Abbott,

vs.

Nathan Nathans.

Fi. fa. S. 40.

Am. Ac. Case entered by agreement and statement filed January 14, that Judgment be entered in favor of Plaintiff for $2225 with stay of execution for 16 months as to one half and 20 months as to the other half.

January 14, 1840, Judgment.

Sept. 14, 1840, Agreement to waive stay of execution filed.

March 8, 1841. By writing filed, this Judgment is assigned to Montelius and Fuller.

Execution Docket.

September Term, 1840.

Samuel Abbot who survived.

vs.

Nathan Nathans.

Levied and condemned.

Vend. Exps. S. 40. 475

Fi. fa. (D. 39. 1339)

Debt $2225.00

Interest from 2 January 1840.

Cost.

said Nathan Nathans) becoming a party to and executing these presents, in consideration of $23,000 did grant unto the said Joseph J. Canavan, in fee, all that lot of ground situate in the 28th Ward of the City of Philadelphia, (being part of the lot of ground last described). Beginning at a point in the East line of Thirteenth Street, at the distance of 10 feet $6\frac{1}{8}$ inches Northward from the North side of Huntingdon Street, thence extending Northward along the said Thirteenth Street, 275 feet $2\frac{7}{8}$ inches, thence Eastward on a line parallel with Lehigh Avenue, by ground of John Kreuger, 82 feet to a point, thence Northeastwardly by the same ground, 13 feet $7\frac{3}{4}$ inches to a point, thence Southeastwardly by the same ground, 60 feet to a point, thence Northeastwardly by the same ground, crossing part of Twelfth Street diagonally, 403 feet $0\frac{7}{8}$ inches to a point in the South line of Lehigh Avenue, thence Eastward along the South line of said Lehigh Avenue and crossing part of Twelfth Street, 170 feet $4\frac{3}{4}$ inches to a point, thence Southwestwardly by ground late of Oakdale Park, now of the said Joseph J. Canavan and re-crossing the said Twelfth Street diagonally, 372 feet $11\frac{3}{8}$ inches to a point, thence Northwestward by ground of Henry Killian, 45 feet 6 inches to a point, thence Southwestwardly by the said last mentioned ground, 160 feet to a point, thence Southeastwardly by the same ground, 45 feet 6 inches to the said ground of Joseph J. Canavan, and thence Southwestward by the last mentioned ground, 255 feet $10\frac{3}{4}$ inches to the place of beginning.

Acknowledged same day. Recorded July 9, 1872, in Deed Book J. A. H. No. 259, page 432, &c.

U. S. Stamp $23 fixed and cancelled.

Title to the said lot marked C. on the said Plan No. 1.

For the Title into Isaac Norris, see Item No. 37.

1755 Sept. 1 No. 55

Deed.—Isaac Norris to Henry Naglee, in fee, for inter alia, a certain piece or parcel of land. Beginning at a stake on the side of the road leading to the widow Venable's plantation, (part of said 80 acres and 205 acres) and at a corner of other land, granted or intended to be granted to Jacob Naglee, thence by said Naglee's land, South 64 degrees, West 132 perches to a stake in the line of other land, granted or intended to be granted to John Naglee, thence by the said John Naglee's land, North 26 degrees, West 24 perches to a stake at a corner of other land, granted or intended to be granted to James Taylor and Mary, his wife, thence along the said Taylor's land, North 64 degrees, East 133 perches to a stake on the side of the said road, and thence along the said road, South 24 degrees, East 24 perches to the place of beginning, containing 19 acres and 128 perches.

Acknowledged November 11, 1756. Recorded January 11, 1758, in Deed Book H. Vol. VIII. page 63, &c.

1796 Feb'y 13 No. 56

Will of Henry Naglee, whereby after devising the income of his estate to his wife, Margaret Naglee, during life, and remainder to his ten children, in fee, as tenants in common, and appointing his said wife, Margaret Naglee, Executrix, and his sons David and Henry Naglee, Executors thereof, he did by a codicil thereto dated the Thirteenth day of May, 1796, will as follows: I do authorize and empower my Executors and the survivors and survivor of them, and the Executors of such survivor or any of them when necessary and expedient for the

payment or my debts or division of my estate among my devises, to bargain and sell for the best price that can be gotten by private or public sale, all or any of my messuages, lands and tenements, and by proper deeds and assurances in the law, to grant and convey the premises to the purchaser, his heir or their heirs and assigns forever. And all the moneys arising from such sale to be disposed of as my estate agreeably to the tenor and effect of my last will and testament.

Will and codicil duly proved the 24th day of April, 1797, and Registered at Philadelphia, in Book of Wills X, page 569, &c.

Letters Testamentary were in due form of law granted and committed to the said Margaret Naglee, David Naglee and Henry Naglee.

1805
Mar 13
No. 57

Letter of Attorney, whereby David Naglee, one of the sons and devises and also an Executor named in the last Will and Testament of Henry Naglee, deceased, constituted and appointed his brother, John Naglee, his true and lawful attorney for him and in his name to do, execute and perform all such matters and things which on his part might be done and performed in respect to the administration of the estate of his late father, or for the sale and transfer thereof, and for that purpose to sign, seal and as his act and deed, deliver and acknowledge all deeds or conveyances needful and necessary in the premises.

Acknowledged the 15th of March, 1805, and Recorded June 4, 1807, in Letter of Attorney Book E. F, No. 3, page 300, &c.

Deed.—Margaret Naglee, widow, David Naglee and Henry Naglee, Executors of the last Will and Testament of Henry Naglee, the elder, deceased, (the said David acting herein by his attorney in fact aforesaid,) to Susan Perkins, in fee, for the said 19 Acres and 128 perches of land. Reciting that said Executors deemed it necessary and expedient for the payment of the debts of the testator, and also for a division of his estate among his devisees that the premises aforesaid should be sold.

Acknowledged June 8th, 1808, and Recorded September 19th, 1808, in Deed Book E. F, No. 30, page 592, &c.

1808 June 7 No. 58

Ex d per Brief No 11556

Deed.—Susan Perkins, widow, to Bernard McMahon, in fee for said premises.

Acknowledged November 4, 1808. Recorded February 3, 1809, in Deek Book E. F, No. 32, page 417, &c.

1808 Nov. 1 No. 59

Ex d per Brief 4556

Indenture of Mortgage.—Bernard McMahon to Susan Perkins, in fee, for said premises, to secure the payment of the principal sum of One Thousand Nine Hundred dollars in three years from the date thereof.

Acknowledged November 2d, 1808. Recorded March 13th, 1809, in Mortgage Book E. F, No. 14, page 295, &c.

1808 Nov. 1 No. 60

The said Bernard McMahon being so thereof seized afterwards departed this life having first made and published his last will and testament in writing.

No. 61

1816
Mar. 10
No. 62

Will of Bernard McMahon, whereby after making sundry devises and bequests, he gave, devised and bequeathed unto his son, James McMahon, his heirs and assigns forever, that part of his real estate situate in Penn Township in the County of Philadelphia, being the small farm or nursery with the house and out houses thereon erected, which he had for some time past occupied and occasionally resided upon, under and subject to the following conditions, restrictions and reservations. First: He charged the said portion of his estate with the payment of about seventeen hundred dollars to Mrs. Susanna Perkins, Second: he charged the said portion of his estate with the payment of two thousand five hundred dollars to William Y. Birch and William J. Duane, or the survivor of them or the executors or administrators of such survivor, the said sum to be paid in ten successive and half-yearly instalments to be paid on the first Monday of May or November immediately after and succeeding the time of his decease, and the said sums to be employed and appropriated as therein mentioned and directed. Third: Having laid off, enclosed and appropriated for a burial ground, a small lot of land, parcel of the small farm thereby devised, he thereby willed that the said lot should forever remain a burial ground; that it should be kept in good order and well fenced, and that those who might be desirous to inter their relations and friends therein should have free ingrees, egress and regress in, to out of and from the same, in going to and returning therefrom for the purposes of burial at all seasonable times. And if his said son James or his heirs or assigns should at any time neglect or refuse for the space of three months to keep the said burial ground well fenced and in good order or should appropriate the said lot for any other use than as a burial ground or should refuse the right of way to and from the said burial ground or

should refuse to permit the said lot to be used as intended by him, then and in any such case, and from three months after such neglect, perversion or refusal, the whole of the said estate should be charged with the payment of fifty dollars per year for every year thereafter, and the said sum should be recovered for the use of the poor of Penn Township by the Overseers or Guardians of the poor thereof.

Fourth: He gave, devised and bequeathed unto William Y. Birch and William J. Duane and the survivor of them &c. inter alia, the said sum of two thousand five hundred dollars issuing as aforesaid, In Trust for the sole and separate use and benefit of his daughter (by a former wife), Mary Ogden, wife of Abraham Ogden, as therein particularly mentioned.

And of his said Will, the testator appointed the said William Y. Birch and William J. Duane, Executors, and his wife Ann McMahon, Executrix.

Proved September 27, 1816. Registered at Philadelphia, in Book of Wills, No. 6, page 331, &c.

No. 63

The said James McMahon afterwards departed this life intestate and on the second day of December, 1817, Letters of Administration were granted by the Register of Wills of Philadelphia County unto Ann McMahon, widow. on the estate of said decedent.

Book of Administrations, M. page 62.

1818
Mar. 20
No. 64

At an Orphan's Court for the County of Philadelphia, held this day, the petition of Ann McMahon, widow and administratrix of the estate of James McMahon, deceased, was presented, setting forth that the said intestate left issue one child, to wit, a daughter named Henrietta, who was then in her minority; that the personal estate of the said intestate was insufficient for the payment of his debts

as by the account therewith produced appeared; that the said intestate died, seized in his demesne as of fee of and in the premises aforesaid, and prayed the Court to grant her an order to make sale thereof for the payment of the debts and maintainance and education of the minor child of said intestate. Whereupon on due proof and consideration, the Court ordered and adjudged that the said administratrix sell the said estate on the second Tuesday in May, then next, and make report, &c.

Orphan's Court Docket, No. 27, page 34.

1818
May 22
No. 65

At an Orphan's Court aforesaid, held this day, the said administratrix made report, that in pursuance of the aforesaid order of Court, having given due public notice of the time and place of sale agreeably to the direction thereof, she did on the second Tuesday in May (then) instant at the Merchants' Coffee House in the City of Philadelphia, at seven o'clock in the evening, expose the premises aforesaid to sale by public vendue or outcry, and sold the same to Thomas P. McMahon for the sum of fifteen thousand dollars, he being the highest bidder and that the highest and best price bidden for the same.

Ex per Brief
No. 4556

Which sale she prayed might be confirmed by said Court.

Whereupon the Court ordered and adjudged that the sale so as aforesaid made, be confirmed and be and remain firm and stable forever.

Orphan's Court Docket, No. 27, page 71, &c.

1818
May 22
No. 66

Deed —Ann McMahon, administratrix aforesaid to Thomas P. McMahon, his heirs and assigns for said premises, excepting and reserving the aforesaid right of burial or charge on account of same.

Ex per Brief
No. 4556

Acknowledged July 22, 1818. Recorded September 2, 1818, in Deed Book M. R. No. 19, page 663, &c.

The said Indenture of Mortgage given by Bernard McMahon to Susan Perkins was duly satisfied of record December 11, 1819.

NOTE.—The said Ann McMahon, administratrix aforesaid filed her account in the office of the Register of Wills of Philadelphia County of the settlement of the said intestate's estate in the year 1820, in which account she charges herself with the proceeds of the aforesaid sale made in pursuance of the order and decree of the Orphan's Court and craved allowances as follows, to wit: No. 67

May 23, 1818, Received from Thomas P. McMahon, in part of the purchase money of the estate sold at public vendue by order of the Orphan's Court, - - - - viz:		$15,000.00
The following debts due and owing by the estate were deducted therefrom, the payment thereof being assumed by the said Thomas P. McMahon in part payment of the purchase money, viz: A legacy left by Bernard McMahon, father of the deceased, for the use of his daughter, Mary Ogden, to be paid in ten successive half-yearly payments of $250.00 each. - - - - - -	$2500.00	
A Mortgage given on the said estate by Bernard McMahon to Susanna Perkins of $1700.00 now reduced to	1300.00	
A Judgment obtained by Thomas P. McMahon on a note of the deceased James McMahon with interest and costs, which he has now delivered up as satisfied, - - - - -	684.55	
And Cash received from him this day, - - - - - -	1351.95	5836.50
		$9163.50

The remainder, the said Thomas P. McMahon gave a Mortgage on said estate and his two bonds, 22nd May, 1818.

The one securing the widow's share, say $\frac{1}{3}$,	$3,054.50
The other for child's share, say $\frac{2}{3}$,	6,109
	$9,163.50

Report confirmed January 19th, 1821. Orphan's Court Docket No. 27, page 450.

No. 68 In the Supreme Court for the Eastern District of Pennsylvania, proceedings were afterwards commenced for the recovery of the legacy aforesaid.

The following are copies of the Docket entries.

Appearance Docket,

July Term, 1822.

William Y. Birch and William J. Duane, trustees for Mary Weston, late Mary Ogden,

vs.

Ann McMahon, Executrix of the last Will and testament of Bernard McMahon, deceased, with notice to Thomas P. McMahon, as terre tenant of all that part of the real estate of Bernard McMahon, deceased, situate in Penn Township in the County of Philadelphia, which the said Bernard by his last Will and testament devised to his son James McMahon, his heirs and assigns, subject to certain conditions, restrictions and reservations expressed in said will.

Refunding bond filed 15 of June, 1822.

Sci. fa. to revive March 28, No. 13.

Sums. case. exit June 15, 1822.

Summoned

Dec. 31, 1824, Narr filed and by endorsement on Narr dated Dec. 18, 1824, Deft. pleads non assumpsit payment with leave to give special matters in evidence.

March 10, 1826, by writing filed it is agreed that judgment be entered for Plff. for the sum of $3,160 83, on the first day of March, term next.

March 20, 1826, Judgment.

NOTE:—The following is the "writing filed" above referred to.

Birch
vs.
McMahon.
} Supreme Court July 1822, No. 36.

Amount of principal of legacy all of which was due 5th May, 1821,	$2,500.00
Balance of interest remaining due from Mr. Duane's account,	17.50
Interest on $2,500 from 1st May, 1821 to 20th March, 1826, 4 years 10 mo. 20 days,	733.33
	$3,160.83

It is agreed that Judgment be entered for the Plaintiff for the sum of $3,160.83 on the 1st day of March, term next.

March 10, 1826. Signed Ch. Chauncey for Plff.
B. Newcomb, Atty. for Def't.

Appearance Docket,

March Term, 1828.

Chauncey 13 Newcomb — William Y. Birch et. al. vs. Ann McMahon, Executrix of the last Will and testament of Bernard McMahon, deceased, and Thomas P. McMahon, terre tenant.

Scire Facias post annum et diem to revive judgment.

(Action to J. 1822, No. 36.)

Exit 11th Feby., 1828.

"Made known."

26 December, 1828 Plff's atty. by writing filed enters a rule of reference and declares their determination to have arbitrators chosen on the 7th day of January, 1829, at ½ past 9 o'clock in the forenoon.

7th of January, Plff's atty. appearing and neither Def'ts nor their attorney appearing, and due proof of the service of the rule on the Def'ts attorney being made, Plff's atty. and Proth'y appointed Samuel M. Solomon, J. W. Raybold and Matthias Coats, arbitrators to meet at Holt's Tavern, ChestnutStreet on Monday, 19th of January, 1829, at 4 o'clock in the afternoon.

19th of January, 1829, report of Arbitrators filed awarding in favor of the Plff's the sum of $3,698.17.

19th of January, 1829, Judgment nisi.

1829, February 29th, by writing filed Def't appeals from the award of arbitrators filed in the above case.

Fi fa. to M. 1829, No. 5.

8th April, 1829, by writing filed Def't pleads payment with leave to give special matters in evidence.

And now, March 12, 1830, a special jury being called came to wit: Spencer Dewees, Elisha W. Cook, Israel Janney, Francis W. Reynegan, Jacob E. Hagert, John Stone, Daniel Smith, Joseph Siddons, John Gilbert, Samuel W. Troth, William Harris and David Pidgeon, who being duly empanneled, sworn or affirmed, respectively do say, that they find for the Plaintiff $3,916.70.

March 15, 1830; Judgment nisi.

Fi. fa. to July, 1830, No. 14.

Execution Docket,

March Term, 1829.

Same

vs.

Same.

Fieri Facias case exit 26 Feb'y, 1829.

Real debt $3,698.17.

Sundry costs.

Original J. 1822, 36.

Sci. fa. to M. 1828, No. 13.

Original to J. 1822, 36.

Levied on Real estate.

Inquisition held and condemned.

Execution Docket,

July Term, 1830.

Chauncey	Same	Fi. fa. exit 6 July, 1830
14	vs.	Real debt, $3916.76.
	Same.	Sundry costs.
		And now levied on Real Estate.
		Inquisition held and condemned.

Execution Docket.

December Term, 1830.

Chauncey	Same	Venditioni Exponas.
3	vs.	Exit 6th Sept. 1830, returnable 2nd Monday of December, 1830.
	Same.	Sold to Nathan Nathans for $4375

1831
Mar. 9
No. 69

Deed Poll.—George Rees, Esquire, High Sheriff of the City and County of Philadelphia to Nathan Nathans in fee for the said premises, excepting and reserving the aforesaid right of burial or charge on account of same. Taken in execution and sold by virtue of the aforesaid proceedings as the estate of McMahon, et. al.

Acknowledged in open Supreme Court the 30th day of March, 1831, and entered among the records thereof in Sheriff's Deed Book F. page 173.

Deed endorsed.—Nathan Nathans to Charles Bird, in fee, for said premises, excepting and reserving the said right of burial, &c. 1831 June 29 No. 70

Acknowledged the 24th of June, 1831 and recorded the 24th of January, 1832 in Deed Book A. M. No. 17, page 538, &c.

Deed.—Charles Bird and wife to Emily Ogden, in fee, for the same premises, excepting and reserving the said right of burial, &c. 1833 May 13 No. 71

Acknowledged same day and recorded the 16th day of May, 1833, in Deed Book A. M. No. 36, page 339, &c.

Indenture of Mortgage.—Emily Ogden to Charles Bird, in fee, for the same premises to secure the payment of the sum of five thousand dollars on the 18th of May, 1836. 1833 May 13 No. 72

Acknowledged the 16th of May, 1833, and recorded the same day, in Mortgage Book A. M. No. 15, page 316, &c.

The said Emily Ogden afterwards intermarried with Bernard Duke.

In the Supreme Court for the Eastern District of Pennsylvania, proceedings were afterwards commenced on the said Indenture of Mortgage. Whereof the following are copies of the Docket Entries. No. 73

Appearance Docket.

December Term, 1844.

Vogdes & Philips

74

Charles Bird

vs.

Bernard Duke and Emily, his wife, late Emily Ogden.

December 30, 1844, Intermarriage of defendants with each other since making of said mortgage suggested.

Lev. facs. D. 44. 20.

Scire Facias Sur Mortgage made by Emily Ogden deem sola. Recorded May 16, 1833, in Mortgage Book A. M. No. 15, page 316.

Returneble 1 Monday of January, 1845.

Exit Dec. 30, 1844.

Served.

January 20, 1845, on motion of Vogdes and Philips, Esqrs. Judgment for want of an appearance.

January 20, 1845, Judgment.

Execution Docket.

December Term, 1844.

Vogdes & Philips

20

Same

vs.

Same.

March 1, 1845, on motion of William A. Stokes, Esq., Henry J. Sergeant, Esq. appointed Auditor to distribute the fund in Court.

Levari facias ret'ble 1 Monday of February 1845.

Exit January 20, 1845, (D. 44. 74)

Real Debt, $5000

Sold the same to John W. McCurdy for the price or sum of $7800

Deed Poll.—Morton McMichael, Esquire, High Sheriff of the City and County of Philadelphia to John W. McCurdy, in fee, for said premises, excepting and reserving the said burial right, &c. Reciting that through the premises therein described the Germantown and Norristown Railroad and Broad Street had been run, dividing the ground into three unequal parts. On that part bounded on the East by the Township Line Road, the dwelling house and green house are erected, on the middle one of the 3 parts, bounded on the East by the said Railroad and on the North West by Broad Street, there had been erected a frame house and a shed stable, and on the lot West of Broad Street, there was no improvement. Taken in execution and sold by virtue of the above recited proceedings as the estate of Bernard Duke and Emily, his wife, late Emily Ogden at the suit of said Charles Bird.

1845 Feb. 22 No. 74

Acknowledged in open Supreme Court the same day and entered among the records thereof in Sheriffs Deed Book, commencing 1841, page 317.

Deed.—John W. McCurdy and wife to Michael Ryan in fee, for said premises, excepting and reserving the burial right as aforesaid.

1845 Feb. 24 No. 75

Acknowledged the 25th of February, 1845 and recorded the same day in Deed Book R. L. Ll. No. 34, page 359, &c.

Indenture of Mortgage.—Michael Ryan to John W. McCurdy, in fee, for the same premises, excepting and reserving as aforesaid, to secure the payment of the principal sum of six thousand dollars.

1845 Feb. 24 No. 76

Acknowledged the 25th of February, 1845 and recorded the same day in Mortgage Book R. L. Ll. No. 17, page 227, &c.

1845
Oct. 25
No. 77

Deed.—Michael Ryan to Patrick Levy, in fee, for said premises, excepting and reserving the said burial right, &c., and subject to the aforesaid mortgage debt and interest.

Acknowledged the same day and recorded the 28th of October, 1845 in Deed Book R. L. Ll. No. 50, page 523, &c.

The said Indenture of Mortgage was duly satisfied of record the 29th of May, 1849.

1852
Feb. 25
No. 78

Deed.—Patrick Levy and Frances, his wife, to James Campbell and Rodger Brown, in fee, for all that certain lot or piece of ground with the messuage or tenements thereon erected (part of the aforesaid premises). Beginning in the Southwesterly side of the Township Line Road, at a point in Eleventh Street, at the distance of 61 feet 7 inches Southeastward form the West line of said Eleventh Street, thence extending by land formerly of Amos Taylor, South 61 degrees 15 minutes, West $69\frac{45}{100}$ perches to the Northeasterly side of the Germantown and Norristown Railroad, thence by said Railroad, North 25 degrees 33 minutes, West $24\frac{44}{100}$ perches, thence by land then or late of Moses Nathans, North 61 degrees 7 minutes, East $68\frac{85}{100}$ perches to the Southwesterly side of the said Township Line Road, and thence South 27 degrees 3 minutes, East by the said Road, $24\frac{57}{100}$ perches to the place of beginning, containing 10 acres and 92 square perches.

In trust for the uses and purposes therein mentioned and among other things it is provided that it should and might be lawful to and for the said James Campbell and Rodger Brown and the survivor of them at any time during the joint lives of them, the said Patrick Levy and Frances, his wife, or during the life of the survivor of them by one or more Indentures, well and sufficiently

executed, (if, during the life-time of the said Frances, by and with her consent, or if, during the life-time of the said Patrick Levy, after the decease of his said wife, then by and with his consent testified by his or her becoming a party to and signing and sealing the same, to revoke, alter, change, modify and make void all and every or any of the uses and estates thereby limited, declared and appointed of and concerning the same and by any Indenture or Indentures well and sufficiently executed as aforesaid to grant, bargain, sell and convey the same to any person or persons in fee simple, freed and discharged from any trust or limitation whatever, without liability on the part of the purchaser to see to the application of the purchase money. And in case of a sale of the premises or any part thereof during the life-time of the said Patrick Levy and Frances, his wife, and the survivor of them the proceeds of such sale or sales might be invested in such other real estate or mortgages as they, the said Patrick Levy and Frances, his wife, and the survivor of them might by writing under their hands in the presence of two or more credible witnesses direct and appoint. To be held by the said Trustees and the survivor of them to, for and upon the several uses and estates, &c. as are therein declared and set forth.

Acknowledged the same day and recorded the 25th day of May, 1863, in Deed Book A. C. H. No. 97, page 333, &c.

1853
April 6
No. 79

Deed.—James Campbell and Rodger Brown, Trustees aforesaid of the first part, the said Frances Levy, wife of Patrick Levy of the second part and the said Patrick Levy of the third part. Reciting the last mentioned Indenture, the trusts thereby declared and provisos therein recited. That the said James Campbell and Rodger Brown, Trustees aforesaid, at the request of the said Frances and Patrick had agreed to revoke the said trusts and to grant

and assure the said premises unto the said Patrick Levy, his heirs and assigns forever, free, clear and discharged of and from all trusts and limitations whatever.

And thereupon the said trustees, by and with the consent of the said Frances Levy, testified by her becoming a party to and signing and sealing the same, revoked and made void all and every the uses and trusts aforesaid, and in pursuance of the powers aforesaid, thereby declared that the said premises should be and enure to the use and behoof of the said Patrick Levy, his heirs and assigns forever. And also granted and conveyed the same to him free and clear of all trusts whatever.

Declaration of consent dated 31st day of March, 1853. Underwritten and acknowledged the same day before the Hon. Oswald Thompson, one of the Judges of the Court of Common Pleas by the said Frances Levy. Also duly proved as respects the execution thereof by James Campbell the 9th of April, 1853, and acknowledged by the said Rodger Brown the 11th of April, 1823, and recorded the 25th of May, 1863, in Deed Book A. C. H. No. 89, page 550, &c.

Recited in the next Deed No. 80

NOTE.—The said 19 acres and 128 perches being subject to the charge imposed thereon by the will of Bernard McMahon became vested in Charles M. Burns, the said Patrick Levy and Bernard Berens in ~~these in~~ three several and distinct portions. And by an act of the General Assembly of the Commonwealth of Pennsylvania (at the instance of the said Charles M. Burns, Patrick Levy and Bernard Berens) approved the first day of May, 1855, entitled, "An Act for the relief of Charles M. Burns and others," whereby it is made lawful for the City of Philadelphia upon payment of the sum of $500 by the said

parties, to make, execute and deliver to said Charles M. Burns, Patrick Levy and Bernard Berens, their heirs and assigns, a release under the common and corporate seal of the said City, releasing and discharging the said lot of 19 acres and 128 perches and every part thereof from all present and future charge of the said annual sum of $50, Provided that the said sum of $500 shall be in every respect substituted for the said charge, and be henceforth held by the said City of Philadelphia for the use and benefit of the said poor of the late township of Penn in the same manner as provided by the will of the said Bernard McMahon, and as if the contingencies therein specified had taken place.

Pamphlet laws 1855, page 388.

No. 81

And by the first section of an ordinance passed by the Select and Common Councils of the City of Philadelphia, approved the sixth day of December, 1855, it was provided as follows:

Section I.—The Select and Common Councils of the City of Philadelphia do ordain, that upon payment of $500 into the City Treasury, the Mayor, be, and he is authorized to execute under the corporate seal of the City and deliver to Charles M. Burns, Patrick Levy and Bernard Berens, a deed of release, releasing and discharging the aforesaid described lot of 19 acres and 128 perches from the charge imposed upon the same by the will of the said Bernard McMahon.

Printed ordinance 1855, page

1856 Mar 3

No. 82

Deed Poll of Release—The City of Philadelphia in consideration of the said sum of $500, releasing the premises aforesaid, of and from the aforesaid charge and every future claim thereof, unto the said Charles M.

Burns, Patrick Levy and Bernard Berens, their heirs and assigns forever.

Proved the same day and recorded the 25th of May, 1863, in Deed Book A. C. H. No. 97, page 289, &c.

1862
Feb. 3
No. 83

Deed.—Patrick Levy and wife, to John G. Williams, in fee for the said Ten acres and ninety-two square perches of land, subject to the payment of a mortgage debt of Six thousand dollars secured by Indenture of Mortgage given by said Patrick Levy to Robert Ewing and William Wier, trustees, &c., dated the 2nd of May, 1853, and recorded in Mortgage Book T. H. No. 29, page 113, &c.

Ex Record

Acknowledged the same day and recorded the 18th day of October, 1862, in Deed Book A. C. H. No. 63, page 302, &c.

The said Indenture of Mortgage above recited was duly satisfied of record, May 20, 1872.

1862
Nov. 26
No. 84

Deed.—John G. Williams and wife, to William P. Schell, in fee, for the last mentioned premises, subject to the payment of the said mortgage debt of $6,000, and also subject to a certain other mortgage debt of $3,000 secured by Indenture of Mortgage given by said John G. Williams to James S. Primrose, dated 16 of October, 1862, and recorded in Mortgage Book A. C. H. No. 39, page 165, &c.

Ex Record

Acknowledged the same day. Recorded the 6th of January, 1863, in Deed Book A. C. H. No. 75, page 89, &c.

Cash con.	$1,200.00
Mtge.	900.00
	$2,100.00

Stamps $40.

The said Indenture of Mortgage for $3,000 was duly satisfied of record May 20, 1872.

Deed.—William P. Schell and wife, to Franklin S. Seitzinger, in fee, for the same premises, subject to the payment of the aforesaid two several mortgage debts of $6,000 and $3,000 respectively, and also to the payment of a certain other mortgage debt or principal sum of Three thousand dollars secured on said premises by Indenture of Mortgage given by William P. Schell to John Scott, Executor and Trustee under the will of John P. Anderson, deceased, dated the 11th day of December, 1862, and recorded in Mortgage Book A. C. H. No. 43, page 327, &c.

1863 April 11 No. 85

Ex

Cash con.	$8,100.	Acknowledged by William P. Schell the same day, and by his wife the 15th of April, 1863, and recorded the 25th of May, 1863, in Deed Book A. C. H. No. 97, page 307, &c.
Mort's	12,000.	
	$20,100.	

Stamps $40.

The above Mortgage of $3,000 to John Scott, Executor, was satisfied of record the twentieth day of May, 1872.

Deed.—Franklin S. Seitzinger to James Hamilton O'Beirne, in fee, for the same premises, subject to the said three mortgage debts.

1863 May 15 No. 86

Ex

Cash con.	$11,250.	Acknowledged same day and recorded the 21st day of May, 1863, in Deed Book A. C. H. No. 104, page 226, &c.
Mort's	12,000.	
	$23,250.	

Stamps $40.

Letter of Attorney.—James Hamilton O'Beirne and wife, to Francis Stuart O'Beirne, constituting and appointing the said Francis Stuart O'Beirne, their true and lawful attorney for them and in their names, to sell and execute deeds for all or any part of their real estate

1869 Feb'y 2 No. 87

Ex

situate in the United States of America, also for and in the name of the said James Hamilton O'Beirne, to execute any mortgage of real estate with Bond and Warrant of Attorney, &c.

Acknowledged the same day before the United States Consul at London, England, and recorded the 26th of February, 1869, at Philadelphia, in Letter of Attorney Book J. T. O. No. 3, page 220, &c.

1869 May 10 No. 88

Indenture of Mortgage.—James Hamilton O'Beirne by his attorney in fact, the said Francis Stuart O'Beirne to John G. Palairet, Richard T. Palairet and John G. Booty, Trustees under the marriage settlement of Mary Ann Hamilton, (afterwards Palairet), in fee simple for said premises to secure the sum of Fifteen thousand dollars in one year from the date thereof.

Ex Record

Acknowledged the same day and recorded the same day in Mortgage Book J. T. O. No. 146, page 335, &c.

The above Mortgage was duly satisfied of record 23rd of May, 1872.

1855 June 22 No. 89

Will of James Hamilton O'Beirne, wherein and whereby he gave, devised and bequeathed all his estate, real and personal to his wife, Henrietta Frances O'Beirne and Richard Edmunds in trust for his said wife and children as therein set forth. And of his said will the testator appointed his said wife and the said Richard Edmunds, Executors.

Proved by the said Henrietta Francis O'Beirne, (Richard Edmunds the other Executor having renounced), on the 8th day of September, 1869, in the principal registry of Her Majesty's Court of Probate in

London and an Exemplification thereof admitted to record and probate on the 23rd of November, 1870, at Philadelphia. Registered in Book of Wills No. 69, page 317, &c.

1870 Nov. 23 No. 90

Letters of Administration cum testamento annexo on the above Will were granted by the Register of Wills to William Brooke Rawle.

Administration Book T. page 460.

1871 Sept. 23 No. 91

At an Orphan's Court for the City and County of Philadelphia, held at Philadelphia, the petition of the said William Brooke Rawle, administrator as aforesaid was presented, setting forth among other things, that the personal estate of the testator was insufficient for the payment of his debts as would appear by a true and perfect inventory and conscionable appraisement of all the personal estate whatsoever of the said testator, situate in the County of Philadelphia, and a just and true account of all the debts in the United States of America which had come to the knowledge of said petitioner thereto annexed. And of all the debts in England which had come to the knowledge of the petitioner therewith exhibited. All of which debts remain unpaid and owing, excepting the last four specified in exhibit "D" which had been paid by said petitioner out of the purchase money of a lot of ground sold at private sale, confirmed by said Court on the twenty-seventh day of May, 1871, leaving unpaid debts of said testator in England amounting to £4641, 6s, 5¾d. That the petitioner had thereto annexed a full and correct statement of all the real estate in this commonwealth of which the said testator died seized, (excepting the lot of ground sold as aforesaid). Among the properties mentioned and described in the said statement "Oakdale Park No. 1 (being the said parcel of land above described

as containing 10 acres and 92 square perches) situate in Twenty-eighth Ward of the City of Philadelphia, described according to a re-survey thereof, as containing 10 acres and 129 square perches more or less, was then subject to the payment of four mortgage debts all of which were over due. Three of said mortgages amounting to $12,000, being held by the Philadelphia Saving Fund Society and the fourth for $15,000 given to secure the personal bonds of the testator and payable to John G. Palairet and others, trustees. That the holders of the fourth mortgage was then pressing for the payment of the same (no interest having been paid thereon since its execution) and were willing to suspend their threatened proceedings if the said property would be sold in such a manner as to discharge the lien of the said mortgage and that they might be paid out of the proceeds of the sale thereinafter prayed for, which sale would be the means of saving great expense to the estate and of procuring a better price for the property.

The petitioner therefore prayed the Court to order the the sale of the property marked No. 1. Oakdale Park aforesaid, said property being unimproved and yielding no income to the estate and being burdensome thereto by reason of the necessary payment of taxes and the expenses of opening streets and other charges, and further that the said sale be made clear and discharged of the lien of the said mortgage of $15,000, payable to John G. Palairet and others and that the holders of said mortgage might be entitled to receive the payment of the principal thereof together with all arrears of interest out of the proceeds of the said sale.

Annexed to said petition appears the affidavit of Henrietta Frances O'Beirne, sole acting executrix and trustee aforesaid, verifying the schedules of the testator's debts in England and desiring that so much of the real estate and personal estate, if any there were, in the United

States of America, as should be necessary for the satisfaction and payment in full of the said unpaid debts with interest thereon should be converted into money for the purpose. Also the answer of John G. Palairet and other trustees under the marriage settlement of Mary Ann Hamilton, by their counsel, Albert O. Outerbridge, admitting the allegations aforesaid regarding the said mortgage of $15,000 and consenting that the sale prayed for might be ordered by the Court, clear and discharged of the said mortgage.

Whereupon the Court on due consideration granted the prayer of said petition and awarded an order of sale accordingly.

1872 Feb. 24 No. 92

At an Orphan's Court aforesaid, held as aforesaid, the petition of the said William Brooke Rawle, administrator aforesaid for an amended order of sale was presented setting forth the above recited order of sale. That the said property was therein ordered to be sold, subject to the lien of three mortgages held by the Philadelphia Saving Fund Society, amounting together to the sum of twelve thousand dollars and that the said petition was advised and believed that a much better price would be obtained for the said property if put up for sale in six separate lots as therein described. Lot No. 4 being described as follows: Beginning at a point in the South side of Lehigh Avenue at the distance of 156 feet $2\frac{7}{8}$ inches East of Twelfth Street, thence extending along the said Lehigh Avenue, 75 feet $7\frac{7}{8}$ inches to a point formerly in the centre line of Township Line Road, now vacated,* thence along the said centre line, South 27 degrees 3 minutes, East 264 feet $2\frac{1}{4}$ inches to the West side of Eleventh Street, thence South along the same, 120 feet $8\frac{7}{8}$ inches to a point, thence South 61 degrees 15 minutes, West 298 feet $5\frac{1}{4}$ inches to Huntingdon Street, thence West along the same, 167 feet $8\frac{5}{8}$ inches to the said Twelfth Street, thence North along the same 387 feet $9\frac{7}{8}$ inches to a point, and

* act of 21 ap 1871 P.L. p. 491

thence North 61 degrees 7 minutes, East 204 feet $7\frac{7}{8}$ inches to the said Lehigh Avenue and place of beginning.

That the said The Philadelphia Saving Fund Society had consented to confine the liens of the said three mortgages held by them to particular portions of the said large tract, and to release unto the purchaser or purchasers of the remaining portions thereof as follows, inter alia, to confine the lien of the six thousand dollars mortgage upon lot No. 4, and to release the remaining lots therefrom.

The petitioner therefor prayed the Court to grant an amended order of sale of the said tract in six several parcels and lots as therein described, the said lots numbered 2, 3 and 4, subject to said mortgages respectively in the manner therein set forth. Whereupon the said Court ordered and decreed as follows: And now, February 24th, 1872, the Court having considered the matters set forth in the said petition and the affidavits in that behalf presented, do, on motion of Henry Wharton, Esq., order that the order of sale granted on the 23d day of September, A. D. 1871, be amended and that the property known as Oakdale Park, therein mentioned, be exposed to public sale in six separate parcels and lots and subject to the mortgages as therein set forth, that is to say.

Lot No. 4. subject to the mortgages of six thousand dollars.

1872
April 13
No. 93

At an Orphan's Court aforesaid, held as aforesaid, the said William Brooke Rawle, administrator as aforesaid, presented his return to the said orders of the Court setting forth that after due and public notice by advertisements and by hand-bills, &c., according to law, he did, on the 26th day of March, A. D. 1872, expose the said premises to public sale or vendue in six separate lots or parcels as numbered, mentioned and described in the aforesaid petition and decree, when the same were purchased by

Joseph J. Canavan of the City of Philadelphia, manufacturer, for the following prices or sums, to wit, inter alia.

Lot No. 4 for the sum of $25,900. Subject to a mortgage of $6000.

The said Joseph J. Canavan being the highest bidder and the said sums being the highest and best prices bidden for the same which sales he prayed might be confirmed by the Court.

Whereupon the Court the same day, on motion of Henry Wharton, Esquire, did order and decree that the sales made as in the said return mentioned to Joseph J. Canavan of the City of Philadelphia, Manufacturer, be ratified and confirmed and that the said William Brooke Rawle, administrator as aforesaid do execute a deed or deeds to the said purchaser for the several lots of ground therein mentioned and that he enter security in eighty-five thousand dollars.

Note.—The above mentioned security approved by the Court was duly entered April 30th, 1872.

Deed.—William Brooke Rawle, administrator as aforesaid to the said Joseph J. Canavan, in fee, for the said lot of ground No. 4 in the said petition. Subject to a mortgage debt of six thousand dollars.

1872
May 15
No. 94

Acknowledged same day. Recorded the 16th of May, 1872 in Deed Book J. A. H. No. 248, page 164, &c.

Consid.	$25,900
Mtge.	6,000
	$31,900
Stamps	$32

Ex Rec'd
11/6/84
Del

Title to the lot marked D. on the said Plan No. 1. hereto annexed.

For the prior Title see Item No. 37 of this Brief.

1755 Sept. 1 No. 95

Deed.—Isaac Norris to Jacob Naglee, in fee, for inter alia a piece of land situate in the Northern Liberties. Beginning at a post standing in the side of the road leading from Philadelphia to Germantown, and at a corner of the road leading to Jacob Duberry's plantation, thence by the said road leading to Duberry's, South 64 degrees, West 130 perches and a half to a stake in the side of the said road and at a corner of land granted or intended to have been granted by the said Isaac Norris to John Naglee, thence by the said John Naglee's land, North 26 degrees, West 70 perches to a stake at a corner of other land granted or intended to have been granted by the said Isaac Norris to Henry Naglee, thence by the said Henry Naglee's land, North 64 degrees, East 132 perches to a stake in the side of the road leading to the widow Venable's plantation, thence partly along the side of the last mentioned road and partly along the side of the Germantown Road aforesaid, South 24 degrees, East 70 perches to the place of beginning, containing 57 acres and 6 perches.

Acknowledged November 11, 1756. Recorded December 21, 1756 in Deed Book H. vol. VII, page 340, &c.

No. 96

Note.—Over the names of the witnesses to sealing and delivery of the last recited deed is the following note:

"It being first agreed that the above named Jacob Na-
"glee, his heirs and assigns shall forever hereafter have

"the use, liberty and privilege of the race or water "course as the same now runs from the dam near the "stone quarry on the other land granted by the above "named Isaac Norris to John Naglee in common with "him the said John Naglee, his heirs and assigns, and in "common with Henry Naglee, Ann Forbes and James "Taylor and Mary, his wife, their heirs and assigns."

1759 Nov. 3 No .97

Deed.—Jacob Naglee and Elizabeth, his wife, to Joseph Griswold, in fee, for inter alia the last mentioned tract of land, excepting thereout unto Edward Croston, his heirs and assigns, "The one full equal and undivided "moiety or half part of a certain strip or piece of land "Twenty-six perches in breadth by Twenty-six perches in "length, being the South-westernmost corner of the afore-"said described piece of land. Bounded Southward by "the said road leading to Jacob Duberry's plantation, "Westward by ground late of John Naglee, now of the "said Edward Croston, and Northward and Eastward by "other part of the said first described piece. Containing "fouracres and thirty-six perches." Theretofore granted by said Jacob Naglee and wife, to said Edward Croston, viz: by deed dated October 1, 1759. Recorded in Deed Book H. No. 10, page 373.

Together with the use, liberty and privilege of the said race or water course as aforesaid.

Acknowledged Jan'y 22, 1759. Recorded February 2, 1760, in Deed Book H, vol. 10, page 356, &c.

The above four acres and thirty-six perches form no part of the square of ground described at the head of this brief.

The said Joseph Griswold afterwards departed this life having first made and published his last will and testament in writing, next hereinafter recited.

1798
Jan. 25
No. 98

Will of the said Joseph Griswold, wherein and whereby he did give and devise unto his beloved wife, Sarah Griswold, during her widowhood, the use, possession, rents and profits of all his real and personal estate of what nature or kind soever, and wheresoever, and after his said wife's decease or re-marriage, he gave, devised and bequeathed the same unto his daughter, Susanna Hilton, wife of Benjamin Hilton, her heirs, executors, administrators and assigns forever.

Proved January 16, 1800 and October 6, 1806, and registered in the Surrogate's Office in and for Queen's County, in the State of New York, and a certified copy thereof recorded Jan'y 6, 1806, and Aug. 19, 1808, at Philadelphia, in the Register of Will's office in Administration Book K, page 229, &c.

No. 99

Proceedings in Ejectment were had in the Circuit Court of the United States in and for the Eastern District of Pennsylvania.

Appearance Docket,

April Sessions, 1799.

Lewis 63 Ingersoll McKean Rawle	Richard Finn, Lessee of Benjamin Hilton, vs. John Denn, Charles Brown, Tenant in possession.	Ejectment returned, "served."

Execution Docket.

October Sessions, 1806.

Richard Finn, a citizen of the State of New York, lessee of Benjamin Hilton, a citizen of the same State,

vs.

Charles Brown, a citizen of the State of Pennsylvania.

Ejectment No. 63.
April Sessions, 1799.

1806, May 5, Exit Habere facias possessionem.

1806, Oct. 11, Returned delivered possession May 5, 1806, at 5 o'clock P. M. to Benjamin Hilton, the Plaintiff.

The said Susannah Hilton afterwards departed this life and Letters of Administration on her estate were granted by the Register of Wills for the City and County of Philadelphia unto Thomas G. Connor.

Administration Book O, page 99.

At an Orphan's Court for the City and County of Philadelphia, held at Philadelphia, the petition of Edward Hilton was presented, setting forth that his mother, the said Susannah Hilton then lately died intestate, leaving the following named children, viz:—The said petitioner, Edward Hilton, John Hilton, Ann B. Halstead, widow, formerly Ann B. Hilton, William Hilton, Susannah Hoyt, wife of Azor Hoyt, formerly Susannah Hilton, and Benjamin Hilton, and leaving the following named grandchildren, (minor children of Harriet Merit, formerly Harriet Hilton, daughter of the said Susannah Hilton who died in the life time of the said Susannah) to wit:—Susan H. Merit, Edward G. Merit, William Merit, Harriet Merit and Jesse A. Merit.

That the petitioner's said Mother died seized of the last mentioned premises containing 58 acres 44 perches, together with the appurtenances which remained undivided. And praying the said Court to award an Inquest to make partition of the said premises, if the same could be done without prejudice to or spoiling the whole, and if not, then to value and appraise the same according to the several acts of Assembly in such case made and provided, whereupon the said Court on due proof and consideration of the premises, awarded the inquest accordingly.

Orphan's Court Docket No. 33, page 270.

1833
Mar. 20
No. 102

At an Orphan's Court aforesaid, held as aforesaid, on motion of T. A. Budd for John Sergeant, Esq., the Court allowed an error in the proceedings to be corrected by stating the extent of estate to be fifty-six acres and sixteen perches excluding railroad, instead of fifty-eight acres forty-four perches.

Orphan's Court Docket No. 33, page 291, &c.

1833
June 21
No. 103

At an Orphan's Court aforesaid held as aforesaid, Benjamin Duncan, Esq., High Sheriff made report, that by virtue of the above recited writ of partition, on the thirty-first day of May, A. D., 1833, taking with him twelve good and lawful men of his bailiwick, he went in his proper person to the said premises, the parties having been severally warned and as many as chose being present, the said Inquest did say that the said premises conld not be parted and divided without prejudice to or spoiling the whole, they therefore valued and appraised the same at the sum of $600 per acre, whereupon the said Court confirmed said report nisi, and also granted a rule upon the children of the said intestate to come into the said Court on the 26th of July, then next and accept or refuse the same at the aforesaid valuation or show cause why the same should not be sold. And as none of said children lived in the

said City and County, and could not be served with personal notice, it was ordered by the said Court that a copy of said rule, certified by the clerk of the said Court, be published in a newspaper in the City of Philadelphia, and also in one in the City of New York.

Orphan's Court Docket No. 33, page 426, &c.

1833 July 5 No. 104

At an Orphan's Court aforesaid, held aforesaid, on motion of John Sergeant, Esq., the time for the return of the rule enlarged to Friday, the 16th of August, then next, and rule ordered to be altered accordingly.

Orphan's Court Docket No. 33, page 446, &c.

1833 Aug. 19 No. 105

At an Orphan's Court aforesaid, held as aforesaid, due proof of the publication of the aforesaid rule, (returnable Aug. 16, on which day said Court was adjourned to 19 inst.,) and none of the said children of the said intestate having appeared in open Court to accept or refuse said premises at the aforesaid valuation, the said Court on due consideration, did order and decree that the same be sold in manner and form as by law, and the rules of said Court were directed.

Orphan's Court Docket No. 33, page 477, &c.

1835 May 4 No. 106

At an Orphan's Court aforesaid, held as aforesaid, Thomas G. Connor, administrator aforesaid, made return, that in obedience to the above recited order of sale, he did on the 23d day of April, 1835, at the Exchange in the City of Philadelphia, expose the said premises to public sale due, timely and public notice thereof being given according to law, and that the said premises were then and there sold to Stephen Fotterall, for the price or sum of $30,500, he being the highest and best bidder, and that being the highest price bidden for the same, payable one-fourth in cash, and three-fourths in one, two and three years with interest at the rate of five per centum per annum, secured by bond and mortgage on the premises.

And further returned, that notice having been given at the said sale of an adverse claim to Sixty-five perches of land, part of the said premises, it was agreed with the purchaser that a part of the purchase money in the proportion to the whole purchase money which Sixty-five perches bore to the whole premises, should remain in his hands until the said claim should be satisfactorily disposed of. And praying the said Court to confirm said sale. Whereupon the said Court, on due consideration confirmed the said sale and ordered security in $45,000.

Orphan's Court Docket No. 34, page 421, &c.

1835
May 15
No. 107

At an Orphan's Court aforesaid, held as aforesaid, the said Court granted a rule on the administrator of Susannah Hilton, deceased, to pay the purchase money arising from the sale of the said premises into Court.

Orphan's Court Docket No. 34, page 454.

1835
May 26
No. 108

At an Orphan's Court aforesaid, held as aforesaid, the Court approved of John Rakestraw, Benjamin Jones, Jr., Edward Hilton, John Hilton, William Hilton, Azor Hoyt in right of his wife, Ann Haltstead, by their Attorney in fact, John Sergeant, Esquire, Thomas Connor the administrator, John Rakestraw and Benjamin Jones, Jr., being residents of the City of Philadelphia, all the others being residents of New York, security to be in $45,000. Three hundred dollars to be paid into Court to await the decision of a foreign attachment, Barlow vs. William Hilton in the district Court or the further order of the Court.

Powers of attorney from the above named Edward Hilton, John Hilton, William Hilton, Azor Hoyt and Ann Halstead to the said John Sergeant, Esquire, filed therewith.

Orphan's Court Docket No. 34, page 459.

The said security of $45,000 has been duly entered vide Real Estate Bond Book R. A. No. 2, page 44.

1835 July 18 No. 109

At an Orphan's Court aforesaid, held as aforesaid, the certificate of J. Neal, Cashier of the Moyamensing Bank of the County of Philadelphia, that Thomas G. Conner, administrator aforesaid, had that day deposited in said Bank to the credit of said Court, the sum of $300, was presented to the said Court and ordered to be filed.

Orphan's Court Docket No. 34, page 520, &c.

1835 July 7 No. 110

Deed.—Thomas G. Connor, administrator as aforesaid, to Stephen E. Fotterall, in fee, for inter alia a parcel of land known as Hilton Farm.

Beginning at the Northwest corner of the Germantown Turnpike Road and Turner's Lane, thence extending by the said Road North 27 degrees 4 minutes, West $34\frac{46}{100}$ perches to a corner, and North 6 degrees 49 minutes, West $\frac{88}{100}$ of a perch to a corner, thence extending by the Township Line Road North 27 degrees and 4 minutes, West 34 perches $\frac{89}{100}$ of a perch to a corner, thence extending South 61 degrees 18 minutes, West 69 perches and $\frac{43}{100}$ of a perch to the Germantown and Norristown Rail Road, thence by the said Rail Road South 25 degrees and 33 minutes, East 51 perches and $\frac{16}{100}$ of a perch to a corner and South 22 degrees 29 minutes, East 19 perches and $\frac{18}{100}$ of a perch to Turner's Lane aforesaid, thence extending by the same North 61 degrees 18 minutes, East 72 perches and $\frac{2}{100}$ of a perch to the place of beginning.

Acknowledged July 7, 1835. Recorded July 7, 1835, in Deed Book A. M. No. 64, page 435, &c.

The following is a copy of an opinion annexed to the printed Brief to "Hilton Farm" by John Sergeant, Esquire.

"I am not able to give any account of the moiety of "four acres and some perches excepted in the deed of 1759.

"After so great a length of time (75 years) none can be "expected nor is any necessary. There has never been

"any adverse claim but an actual exclusive possession by "the present owners and those under whom they claim. "It is now more than thirty years since the Marshall put "the late Mr. Hilton in possession under an execution in "Ejectment from the Circuit Court, both parties claiming "under the same title.

"There can be no doubt therefore that the title is good.

"Signed, John Sergeant."

May 21, 1835.

1839 July 2 No. 111

Will of the said Stephen E. Fotterall, wherein and whereby, he did among other things, will in the words following, viz:—

"VIII. Whereas I sometimes since purchased 56 acres "and 16 perches of land with the appurtenances, late of "Susannah Hilton, in the County of Philadelphia; now "I direct that no part thereof shall be sold, let on ground "rent or hypothecated prior to the first day of July, in the "year 1865, but that until then the same shall be preserv- "ed from dilapidation and waste, by my Executors and "substituted Executors."

Collateral inheritance tax paid July 20, 1865

"And whereas I have adopted and considered the above "named Catharine Elizabeth (by the name of Elizabeth "F.,) and Samuel F. Babcock, as children of a grand-child. "Now subject to the above mentioned restriction, I give "and devise the said land and appurtenances to my act- "ual grand children now born or that may be born prior "to said July 1, 1865, and to the said Catharine Elizabeth "and Samuel, as one grand child's representative, that is, "they are to have among them a grand child's share as "tenants in common, and to their respective heirs and "assigns as tenants in common forever; but if any of my "actual grand children shall die without issue prior to "July 1, 1865, his or her part is to pass to my other act- "ual grand children, and the issue of any that may have "died as tenants in common forever, the issue of any

"deceased actual grand child taking only the parent's "share equally among them, but if any of the said "adopted great grand children shall die without issue "prior to July 1, 1865, the part of said land intended for "him or her shall pass, and I give and devise the same to "my own right heirs."

Proved November 1, 1839, and Registered at Philadelphia, in Book of Wills No. 13, page 696, &c.

Recited No. 112

The said Stephen E. Fotterall (the testator above named) left him surviving his widow Catharine, (who is since deceased,) and issue only two children, viz:—Stephen G. Fotterall and William F. Fotterall.

Recited No. 113

The said Stephen G. Fotterall had altogether eight children living at the death of the said Testator, or born prior to said July 1, 1865, viz:—

Ellen Matilda, who intermarried with Edwin T. Eisenbrey.

Mary A., who intermarried with Charles H. Mellon, since deceased.

Sarah A., who intermarried with James Harriman.

Anna E., who intermarried with Clayton McMichael.

Frederick W.

John Henry.

Stephen E.

Cornelia F.

Collateral tax paid May 10, '67

U. S. Succession tax pd. May 3 and March 27, 1867

The said John Henry, Stephen E. and Cornelia F. respectively departed this life prior to said July 1, 1865, intestate, unmarried and without issue, but leaving their father, the said Stephen G. Fotterall, (since deceased,) and the remaining brothers and sisters them surviving.

Recited No. 114

The said William F. Fotterall had altogether six children living at the death of the said testator, or born prior to July 1, 1865, viz:—

Mary Ann B., who intermarried with Samuel R. Potter, since deceased.

Catharine S., who intermarried with Winfield S. Russell.
Sarah E.

Emma L., who intermarried with William Elbert Evans.

Stephen B.

Elizabeth E., who intermarried with John L. Mears.

Collateral inheritance tax paid May 10, 1867
U. S. Succession tax paid May 3, 1867.

The said Elizabeth E. Mears departed this life prior to July 1, 1865, intestate and without issue, but leaving her said husband, her father, (since deceased,) her mother, (Sarah K. Fotterall,) and her said brothers and sisters her surviving.

1866 May 23 No. 115

Deed.—Mary Ann B. Potter, Winfield S. Russell and Catharine S., his wife, Sarah E. Fotterall, Emma L. Fotterall, and Stephen B. Fotterall, and Mary, his wife, for the purpose of debarring and destroying any estate tail in possession, reversion or remainder which said parties thereto had in the premises, to George N. Watson, his heirs and assigns, for all their undivided estate, right, title and interest therein and thereto.

Not subject to stamp duty, signed "John H. Diehl," Collector of Internal Revenue. Acknowledged May 23 and June 5, 1866. On motion of Henry Wharton, Esq., entered June 12, 1866, on the records of the Court of Common Pleas, for the City and County of Philadelphia, in Sheriff's Deed Book Z. 27, page 536. Recorded June 16, 1866, in the Recorder of Deeds' Office in Deed Book L. R. B. No. 187, page 118.

1866
May 24
No. 116

Deed.—George N. Watson to Mary Ann B. Potter, Catharine S. Russell, Sarah E. Fotterall, Emma L. Fotterall and Stephen B. Fotterall, their heirs and assigns, for all his estate, right, title and interest of, in and to the said premises.

Not subject to stamp duty, signed "John H. Diehl," Collector of Internal Revenue. Acknowledged June 15, 1866. Recorded June 16, 1866, in Deed Book L. R. B. No. 187, page 161, &c.

1866
May 31
No. 117

Deed of Marriage Settlement.—Emma L. Fotterall of the first part, William Elbert Evans of the second part, and Winfield S. Russell and the said William Elbert Evans of the third part, wherein and whereby the said party of the first part thereto in anticipation of a marriage (since solemnized) between her and the said party of the second part thereto, and by and with his consent testified by his uniting in the Deed Poll now in recital, did grant, bargain, sell, assign and set over unto the said Winfield S. Russell and William Elbert Evans, their heirs and assigns, all the property and estate, of her, the said Emma L. Fotterall, both real and personal in Philadelphia or elsewhere, with the exception of the sum of $30,000 to be retained out of her personal estate by the said Winfield S. Russell, and to be by him paid over to her on her own receipt, &c. To hold the same unto them, the said Winfield S. Russell and William Elbert Evans, their heirs and assigns in trust, nevertheless as therein expressed and declared. And among other things "upon "trust by and with the written consent of said first party "to sell and dispose of any or all the said estate, real and "personal, and to grant, assign and convey the same unto "any purchaser or purchasers thereof with or without the "reservation of a ground rent or ground rents, and these "again in like manner to sell and convey and extinguish

"without any obligation on the part of any purchaser to "see to the application of the purchase money or proceeds "of sale, but which shall without delay, be re-invested "upon the trusts of this instrument in other real estate or "real securities or public loans, such as are lawful invest- "ments for trustees to make," and it was thereby provided, "And should either trustee die or otherwise cease to be "trustee, and as often as this may happen it shall be lawful "and the duty of the surviving or continuing trustee, and "upon his default for any cestis que trust to petition the "Court of Common Pleas for the appointment of a nomi- "nated trustee to fill the vacancy, and if a majority in "interest shall join in such petition, such appointment "may be without security; and upon such appointment "being approved and made by the Court, all the title, "trusts, powers and duties in this instrument set forth "and declared shall become vested in such appointee as "if originally made a trustee thereby."

Acknowledged June 5, 1866. Recorded June 11, 1866, in Deed Book L. R. B. No. 182, page 290, &c.

1866
Mar. 20
No. 118

Letter of Attorney.—John L. Mears constituting and appointing Charles Ingersoll his true and lawful attorney in fact, for him and in his name, to enter into any agreement, arrangement or compromise that he might deem proper in regard to his interest in and claim to the estate of the said Stephen E. Fotterall, deceased, and to ascertain and adjust the same, and for that purpose he thereby empowered him (among other things) for him and in his name to execute all necessary deeds and conveyances, to receive all moneys, &c., and grant discharges and acquittances therefore, the same as if he were personally present, and to do and perform all acts necessary and proper to adjust, settle and compromise and extinguish his interest in the estate of the said Stephen E.

Fotterall, deceased, and to transfer the same as in his judgment might seem best.

Acknowledged same day. Recorded June 4, 1866, in Letter of Attorney Book L. R. B. No. 3, page 194, &c.

1866 June 2 No. 119

Deed.—John L. Mears, by his attorney in fact, the said Charles Ingersoll, to Ellen Matilda Eisenbrey, Mary A. Mellon, Sarah A. Fotterall, Anna E. Fotterall, Frederich W. Fotterall, Mary Ann B. Potter, Catharine S. Russell, Sarah E. Fotterall, Emma L. Fotterall, and Stephen B. Fotterall, their respective heirs, executors, administrators and assigns, for all his, the said John L. Mears' estate, right, title, interest, property, claim and demand, (if any be had) of, in and to the said tract, or parcel of land, called and known as the Hilton Farm, and the accummulations of the rents, issues, and profits thereof.

Acknowledged same day. Recorded June 4, 1866, in Deed Book L. R. B. No. 185, page 164, &c.

Consideration $22,516.38.

U. S. Stamps, $14.

Affixed certificate of John H. Diehl, collector, "stamp duty paid."

1867 Dec. 28 No. 120

At a Court of Common Pleas for the City and County of Philadelphia, held at Philadelphia, the petition of the said Winfield S. Russell and William Elbert Evans, Trustees as hereinbefore mentioned and of the said William Elbert Evans and Emma L., his wife, was presented setting forth that the said Stephen E. Fotterall was seized in his life-time of and in the aforesaid tract or piece of land and that by his will, hereinbefore recited, he devised the same as is above recited, that the said testator died in the year 1839, a period of more than twenty-one years before the said first day of July, 1865, by reason whereof

the said petitioners were advised and believed that the provisions in the said will, suspending the alienation of the said farm, before the last mentioned date was contrary to the rules of law, and void and that a further question had arisen, the effect of which would be presently shown, whether the gift over, in case of the death of any of the actual grand-children before that date of their shares to the survivors, was not invalid for a like reason. That said Stephen G. and William F. Fotterall had issue as hereinbefore recited. That said Emma L. Fotterall (an actual grand-child) in anticipation of an intended marriage, then consummated by the hereinbefore recited Deed of Marriage Settlement, conveyed all her estate real and personal (excepting as hereinbefore recited) unto the said Winfield S. Russell and William Elbert Evans, their heirs and assigns, in trust as therein particularly recited.

That said petitioners William Elbert Evans and Emma L., his wife, had then no issue of said Marriage and that the said Winfield S. Russell and William Elbert Evans had accepted and acted in the trusts of the said Indenture.

That a question had arisen between the children of the said Stephen G. Fotterall, and the children of the said William F. Fotterall (including the said petitioner, Mrs. Evans) in respect to their proportionate shares in the said "Hilton Farm" under the will of the said Stephen E. Fotterall, deceased.

That by the former it had been contended that they by descent from their deceased brothers and sisters as well as according to their original interests, were entitled to eight equal fifteenth parts, the children of William F. Fotterall to six equal fifteenth parts, and the "adopted great grand-children" to the remaining fifteenth part. Whereas by the children of the said William F. Fotterall it had been contended that they, as well as the children of the said Stephen G. Fotterall were each entitled by the effect of the hereinbefore recited will of the said Stephen

E. Fotterall, deceased, and by survivorship to about one-tenth of fourteen fifteenth parts.

That the said question had been submitted to the opinion of counsel who had differed on the subject and that said petitioners were advised and believed that it was a very novel and difficult one.

That under the circumstances of the estate and of the parties, it had also been considered advisable to purchase the interest, that is, the one fifteenth share in the property of the said "adopted great grand-children" and to have the whole conveyed to trustees for the purpose of management and gradual sale in building lots. That the said land was on the outskirts of the City and would soon be ready for the opening of streets, laying gas and water pipes, paving and grading and other municipal improvements which though they would add much to the value of the property, would involve a considerable outlay and expense in which the said adopted great grand-children mentioned by the said testator, it was believed, were not able to join.

That the following plan of adjustment and compromise had therefore been agreed upon by all parties, in order to settle the question above stated as respects the relative proportions of the parties.

That the children of the said William F. Fotterall (including the said petitioner, Mrs. Evans) were to purchase the share of the said "adopted great grand-children" out and out for the price or sum of $18,000, of which, the sum of $3,600 would be the proportion to be paid on behalf of the said petitioners for Mrs. Evans. That the whole property was then to be held and taken to be divided into ten equal parts, one for and in respect to each of the then children of the said Stephen G. and William F. Fotterall respectively.

That nine of these tenth parts were to be thereupon conveyed by all the parties, except the said petitioners to

trustees, to be by them chosen for management and sale; and the remaining tenth part thereof was to be held by the said petitioners, Winfield S. Russell and William Elbert Evans, on the trusts of the hereinbefore recited Indenture of Marriage Settlement.

That the said sum of $3,600 to be paid in respect to the said petitioner, Mrs. Evans, in the said purchase, was to be paid out of the trust funds by the said petitioners, her trustees under the sanction of the said Court as an investment of so much money in real estate under the terms of the said Indenture and by virtue of the powers therein contained. The said petitioners to execute thereupon, a release to the parties in interest of all their right, title and interest, if any they should have then had in the said premises over and above an equal one-tenth part the consideration whereof being the equal release and relinquishment by the children of the said Stephen G. Fotterall, of any title or right they might have over and above one equal tenth part each.

And praying the said Court to authorize and sanction the investment of the said sum of $3,600 in the purchase of one equal fifth part of the one fifteenth part in said premises, then belonging to the said "adopted great grand children" of the said testator, being the one equal undivided seventy-fifth part of the whole, and further to authorize the said petitioners to join with the other parties in the compromise settlement and adjustment of differeeces hereinbefore stated so agreed upon with respect to the proportionate shares of the parties in the said "Hilton Farm" and to declare and decree the same to be a proper exercise of the powers and authorities, vested in the said petitioners, Winfield S. Russell and William Elbert Evans under the hereinbefore recited Indenture of Marriage Settlement, and further to authorize and empower them to execute a proper deed of release and conveyance in accordance

therewith, and in order to carry it into effect as hereinbefore stated.

Whereupon the said Court, the same day, did allow the prayer of the said petitioners, and did approve of the investment by them of the sum of $3,600 of the trust moneys, in the purchase jointly with the other children of the said William F. Fotterall, deceased, of one fifteenth share or part in the premises mentioned in the said petition, known as the "Hilton Farm."

And the said Court did further authorize and empower the said trustees to join with the other parties in the said compromise settlement and adjustment of differences mentioned in the said petition as agreed upon with respect to the proportionate shares of the parties in the premises, and did declare the same to be a lawful and proper exercise of the powers and authorities vested in in the said trustees. And the said Court did further authorize and empower them to execute all such proper conveyances and releases as might be necessary to carry the same into effect.

Court of Common Pleas Minute Book No. 27, page 360, &c.

1868 Jan. 14 No. 121

Deed.—Samuel F. Babcock and Ella B., his wife, Catharine F. Babcock and Elizabeth S. Fleming, (formerly Elizabeth S. Babcock) and widow of Charles E. Fleming, deceased, to the said Mary Ann B. Potter, Catharine S. Russell, Sarah E. Fotterall, Stephen B. Fotterall and Winfield S. Russell and William Elbert Evans, trustees as hereinbefore recited, their heirs and assigns as tenants in common, for all their estate, right, title and interest of, in and to the said tract of land; the share or portion of the said trustees therein to be held by them in trust, nevertheless and to, for and upon the same and like uses,

trusts, intents and purposes, and with, under and subject to the same and like powers and authorities as are mentioned, set forth, limited and declared in, and by the hereinbefore recited deed of marriage settlement, and to and for no other use, intent or purpose whatsoever.

Acknowledged same day. Recorded January 29, 1868, in Deed Book J. T. O. No. 119, page 89, &c.

Consideration $18,000.

U. S. Revenue Stamps $18.00, affixed.

1868 Feb. 5 No. 122

Deed Poll—Sarah K. Fotterall, (mother of the said Elizabeth E. Mears, dec'd.) to her children Mary Ann B. Potter, Catharine S. Russell, Sarah E. Fotterall, Emma L. Evans and Stephen B. Fotterall, their heirs and assigns, as tenants in common, for all her estate, right, title and interest, (if any) which she may have inherited on the decease of her said daughter, Elizabeth E. Mears, or should be entitled to upon the decease of the hereinbefore named John L. Mears, (husband of the said Elizabeth E. Mears, deceased,) of, in and to the said tract of land.

Acknowledged same day. Recorded March 20, 1868, in Deed Book J. T. O. No. 129, page 72, &c.

On the last recited Deed Poll is a receipt of the Deputy Collector of Internal Revenue of the Fourth District of Pennsylvania, dated March 20, 1868, for Seventeen $\frac{93}{100}$ dollars, being the U. S. Succession Tax on the premises conveyed by the last recited Deed Poll.

1868 Mar 6 No. 123

Deed.—Edwin T. Eisenbrey, and Ellen Matilda, his wife, Mary A. Mellon, James Harriman, and Sarah A., his wife, Clayton MacMichael, and Anna E., his wife, and Frederick W. Fotterall, and Juliette J., his wife of the first part.

Mary Ann B. Potter, Winfield S. Russell and Catharine S., his wife, Sarah E. Fotterall, William Elbert Evans and Emma L., his wife, and Stephen B. Fotterall and Mary, his wife, of the second part.

Winfield S. Russell and William Elbert Evans, trustees under the hereinbefore recited Deed of Marriage Settlement and the said Emma L. Evans of the third part.

George N. Watson of the fourth part, and

Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and Frederick W. Fotterall of the fifth part.

Wherein and whereby, after reciting as therein and hereinbefore recited, they, the said parties of the first and second parts thereto (the said parties of the first part thereto for the purpose of debarring and destroying any estate tail in possession, reversion or remainder which they the said parties of the first part thereto had in the said premises) and each and every of them did grant, bargain and sell, alien, enfeoff, release, convey and confirm unto the said George N. Watson, party of the fourth part thereto, his heirs and assigns, all their several and respective estate, right, title and interest of, in and to the said tract of land to the use of the said parties of the fifth part thereto, their heirs and assigns upon the following trusts, conditions and limitations and with the following powers and authorities nevertheless, that is to say:

First. "That the said Edwin T. Eisenbrey, Winfield S. "Russell, Stephen B. Fotterall and Frederick W. Fotter- "all, parties of the fifth part hereto and their successors, "in the trusts hereof shall and will with all reasonable "diligence, sell and convert into money, all and singular "the hereditaments and premises hereby granted and "conveyed unto them (being nine undivided tenth parts "of and in said messuage and tract or piece of land) and "hold or apply the proceeds of such sale or sales, and the "investments and securities therefor taken, and in the "meantime the rents, issues and profits of so much as

"shall remain unsold to and for the use and benefit of "the said Ellen Matilda Eisenbrey, Mary A. Mellon, "Sarah A. Harriman, Anna E. MacMichael, Frederick "W. Fotterall, Mary Ann B. Potter, Catharine S. Russell, "Sarah E. Fotterall and Stephen B. Fotterall, certain "parties of the first and second parts hereto, their re- "spective executors, administrators and assigns, as per- "sonal aud not as real estate.

"Second. That for the purpose of carrying into effect "the purposes of this conveyance, the said Edwin T. "Eisenbrey, Winfield S. Russell, Stephen B. Fotterall, "and Frederick W. Fotterall, parties of the fifth part "hereto and their successors in the trusts hereof shall be "deemed and taken to possess the following powers and "authorities.

"1st to sell and convey all and every part of the hered- itaments and premises hereby granted and conveyed at either public or private sale for cash or upon ground rent or partly for cash or partly upon ground rent or for Bond and Mortgage; and if upon ground rent to sell or extinguish the same upon such terms and conditions as they or their said successors may deem advisable in their absolute discretion and to execute the necessary deeds, conveyances and assurances to vest the premises so sold and disposed of unto the purchaser or purchasers thereof, his, her or their heirs and assigns forever without any liability on the part of any such purchaser or pur- chasers to see to the application of or be responsible for the mis-application or non-application of the purchase money therefor."

4th. In case of the death, resignation or inability to act, of any of the trustees, to appoint one or more trustee, in his or their room and stead who shall possess and be authoriz- ed to exercise, all and singular, the powers and authorities herein conferred, including this present power to appoint new trustees; whereupon such deeds or other assurances

in the law, if required, shall be made and executed for the purpose of vesting in such new trustee or trustees in conjunction with the then existing and remaining trustee or trustees, all and singular, the trust estate and premises, as counsel may advise and require. But nothing herein contained shall be construed to preclude any person in interest from applying to the proper court for the appointment of a new trustee or trustees in such case, and the recital in any subsequent deed of conveyance of any part of the said trust estate, of the death, resignation or inability to act, of such former trustee and such appointment of any new trustee or trustees, shall as respects any purchaser in good faith, be conclusive evidence of such facts.

And in and by the same Indenture, the said Winfield S. Russell and William Elbert Evans, trustees aforesaid, parties of the third part thereto as well in pursuance and by virtue of the powers and authorities contained in the hereinbefore recited Deed of Marriage Settlement as of the decree of the Court of Common Pleas aforesaid hereinbefore recited and by and with the consent and approbation of the said Emma L. Evans, testified by her becoming a party to and signing and sealing the Indenture now in recital and for the purpose of carrying into effect the hereinbefore recited compromise and arrangement, did grant, bargain, sell, release and confirm unto the said George N. Watson, party of the fourth part thereto, his heirs and assigns, all the right, title and interest which they, the said parties of the third part thereto, trustees aforesaid, should or might have upon any construction of the hereinbefore recited Will of the said Stephen E. Fotterall, deceased, of, in and to the said tract or piece of land beyond and exceeding the one equal tenth part thereof; which said one tenth part thereof it was thereby declared and agreed by and between

all the said parties thereto should thereafter be taken and held to be the just and equal shares of the parties of the third part thereto, trustees aforesaid, their heirs and assigns of, in and to the said tract or piece of land.

To hold the same unto the said George N. Watson, party of the fourth part thereto, his heirs and assigns for the use of the said Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and Frederick W. Fotterall parties of the fifth part thereto, their heirs and assigns to for and upon the trusts and limitations and with and upon, all and singular, the powers, authorities and conditions therein and hereinbefore at large set forth, with respect to the hereditaments and premises therein granted and conveyed to their use by the parties of the first and second parts thereto.

50 cents, U. S. Internal Revenue Stamp affixed and deed marked "Stamp Duty paid." Signed, A. Cummings, per W. F. Forbes, Deputy Collector Internal Revenue, Fourth District, Penna. "Penalty remitted."

Acknowledged March 6 and 12, 1868, on motion Henry Wharton, Esq. Entered March 28, 1868, on the records of the Court of Common Pleas for the said City and County in Sheriff's Deed Book No. 28, page 344, &c. Recorded April 13, 1868, in Deed Book J. T. O. No. 130, page 296, &c.

Recited No. 124

The said William Elbert Evans, one of the trustees under the hereinbefore recited Deed of Marriage Settlement afterwards departed this life.

1869
June 12
No. 125

At a Court of Common Pleas aforesaid held as aforesaid, the petition of Winfield S. Rusell, surviving trustee under the hereinbefore recited Deed of Marriage Settlement was presented, setting forth that the said Emma Louisa Evans, by the hereinbefore recited Deed of Marriage Settlement, granted and conveyed all her estate, real and personal, (excepting as therein mentioned) to said petitioner, Winfield S. Russell, and Willian E. Evans in trust for her during her life as therein set forth and after her decease, in case she should die without issue, then in trust for her brother and sisters, Stephen B. Fotterall, Mary Ann B. Potter, Catharine S. Russell, wife to said petitioner and Sarah E. Fotterall. (the said Mary Ann B. Potter being then absent from the State.)

That by said Indenture of Settlement it was provided that should either trustee die or otherwise cease to be trustee and as often as the same might happen it should be lawful and the duty of the surviving and continuing trustee, and upon his default, for any cestui que trust to petition the Court of Common Pleas for the appointment of a nominated trustee to fill the vacancy, and if a majority in interest should join in such petition such appointment might be without security.

That the said William E. Evans had since departed this life leaving the said petitioner a surviving trustee under the said Indenture of Marriage Settlement.

That the said Emma Louisa Evans had then no children and consequently the only persons interested in the said trust estate beside her were her said brother and sisters.

That it was necessary that a new trustee should be appointed in the place and stead of the said William E. Evans, deceased, that a majority of the parties in interest had selected Edwin T. Eisenbrey for that purpose.

And praying the said Court to appoint the said Edwin T. Eisenbrey a trustee under the said Indenture of Settlement in the place and stead of the said William E. Evans, deceased.

And the said Emma L. Evans, Sarah E. Fotterall and Catharine S. Russell, being a majority of the parties in interest named in said petition, by writing annexed to said petition, concurred in the prayer thereof and desired that no security be required of the said Edwin T. Eisenbrey, according to the provisions of the Indenture of Marriage Settlement in said petition recited.

Whereupon the said Court granted the prayer of the said petition and appointed Edwin T. Eisenbrey, trustee, without security.

Trustee's Book F. page 260, &c.

1872 Feb. 22 No. 126

Deed.—Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and Frederick W. Fotterall, Trustees under the said Indenture March 6, 1868, (see Item No. 123 of this Brief,) of the first part.

Winfield S. Russell and Edwin T. Eisenbrey, Trustees of the Estate of Emma Louisa Evans under the said Deed of Marriage Settlement, May 31, 1866, (see Item No. 117 of this Brief.) of the second part.

The said Emma Louisa Evans, widow of the third part, and David Murtha of the fourth part.

Whereby the said parties of the first, second and third parts did grant unto the said David Murtha, in fee.

All that certain triangular lot or piece of Ground situate in the 21st Ward of the City of Philadelphia, described as follows:—Beginning at the Northwest corner of Eleventh Street and Huntingdon Street, thence extending Northward along the West side of said Eleventh Street 192 feet $2\frac{5}{8}$ inches to a point in the line of ground of * * * * * * * thence Southwestward along said ground 298 feet $5\frac{1}{4}$ inches to the North side of Huntingdon Street,

and thence extending Eastward along the North side of said Huntingdon Street 228 feet $3\frac{3}{8}$ inches to the place of beginning.

Reserving thereout unto the said parties of the first and second parts thereto, trustees aforesaid in the proportions of their respective interests, thereby conveyed in the said lot of ground, their heirs and assigns, the yearly ground rent or sum of $360 lawful money, in equal half-yearly payments on the first day of the months of April and October in every year thereafter forever.

Acknowledged same day. Recorded February 29, 1872, in Deed Book J. A. H. No. 218, page 407, &c.

Consideration one dollar.
U. S. Stamps $6.00 affixed and cancelled.

Deed.—David Murtha and Eliza Jane, his wife, to Joseph J. Canavan, in fee, for the lot of ground last above described, subject to the payment of the above mentioned yearly ground rent of $360. 1872 May 30 No. 127

Acknowledged same day. Recorded June 12, 1872, in Deed Book J. A. H. No. 246, page 624, &c.

Consideration $2000.
U. S. Stamps $2 affixed and cancelled.

The said Joseph J. Canavan became thus seized in fee, of the said square of ground described at the head of this Brief, as to lot marked "A" on said Plan No. 2, by Deed mentioned in Item No. 25 of this Brief; as to lot marked "B" on said Plan No. 2, by Deed mentioned in Item No. 54 of this Brief; as to lot marked "C" on said Plan No. 2 by Deed mentioned in Item No. 94 of this Brief; as to lot marked "D" on said Plan No. 2 by Deed mentioned in Item No. 127 of this Brief. No. 128

No. 129 The said Joseph J. Canavan departed this life on the eighteenth day of August, Anno Domini, 1872, having first made and published his last Will and Testament.

1872 June 29 No. 130 **Will** of Joseph J. Canavan, wherein and whereby the said testator devised his residuary estate to his brother-in law, Alexander McConnell, in the following manner however, that is to say, after bequeathing certain pecuniary legacies amounting to $139,600 out of his personal property he did then provide that in the event of the same proving insufficient for the purpose he then desired that the said Alexander McConnell should supply the deficiency and did thereupon give, devise and bequeath to him all the rest, residue and remainder of his estate both real and personal, not thereinbefore disposed of, in fee simple, but in the event of the said Alexander McConnell declining to supply said deficiency, then the testator did order, direct and empower his executors to sell and convey, in fee simple, so much of his real estate as might be necessary for that purpose and did authorize them to make good and sufficient conveyances in the law for that purpose, without liability on the part of the purchasers to see to the application of the purchase money.

And by a subsequent clause in his said will he devised and bequeathed to the said Alexander McConnell all the rest, residue and remainder of his estate, real and personal, in fee simple, without qualification, and he did further again authorize and empower his excutors to sell and convey, in fee simple, all or any of his real estate, either for cash or otherwise and for the execution of the trusts contained in his will, he did direct that no security should be required of them, and of his said will he did appoint George W. Fiss and Theodore C. Search to be the executors.

Proven August 21, 1872. Registered at Philadelphia in Will Book No. 75, page 415, &c.

Letters Testamentary were granted to the said George W. Fiss and Theodore C. Search, as executors of said will. 1872 Aug. 21 No. 131

At an Orphan's Court for the City and County of Philadelphia, the petition of the said George W. Fiss and Theodore C. Search, executors aforesaid was presented, setting forth, inter alia, that the said Testator was seized in his demesne as of fee at the time of his decease of a large amount of real estate (all of which then remaining unsold was specifically mentioned, set forth and described in the schedule annexed to said petition and including therein the premises hereinafter described) situate in the said City of Philadelphia as well as personalty, that all of the said personalty had been collected and applied to the payment of debts of the decedent from time to time, by said petitioners (except certain Mortgages set forth in the schedule to said petition annexed, which were stated to be unavailable and uncollectable at that time), that said petitioners had filed an account as executors of said decedent, which was duly referred to Henry S. Hagert, Esquire, as auditor, by the Old Orphan's Court, whose report thereon was absolutely confirmed on June 19, 1874, whereby it appears that the debts of the decedent therein proven, adjudicated and allowed, amounted to the sum of $509,293.35. 1877 May 14 No. 132

That all of the indebtedness except the sum of $374,585.13, being the amount of two certain claims, one held by Alexander McConnell for $164,376.07, and the other held by the firm of Fiss, Banes, Erben and Company, amounting to $210,209.06, and some small disputed claims of inconsiderable amounts, had been fully paid

and satisfied to the several parties entitled thereto, leaving still unpaid the said two specified claims and said small disputed claims.

That the said claims of the said Alexander McConnell then amounted to about the sum of $194,000 and the said claim of the firm of Fiss, Banes, Erben and Company was reduced to the sum of $74,881.33. That a large proportion of the said real estate held by the said estate was unproductive and unprofitable for the purposes of revenue and in view of the expiration of five years from the death of decedent on August 18th, then next, (1877). Whereby the lien of debts would expire and that suits thereon and judgments therein were being recovered to enforce a sale thereof on execution, it had become necessary to sell and dispose of the same under the power of said will and by order of said Court.

That since said audit and adjudication, they had made sales of large amounts of real estate under orders of said Court, in execution of the powers in said will and had applied the proceeds thereof to the reduction of the said debts as aforesaid. That there was no personal estate of said decedent remaining collectible or convertible (except said mortgages).

That the debts were those already enumerated and described therein. That the Schedule "A" thereto annexed and made part of said petition, contained an accurate enumeration and description of all the remaining real estate of said decedent, which it was proposed to sell at public auction for the payment of said decedent's debts and legacies if sufficient to close up the said estate.

That the said Alexander McConnell had declined and refused to supply the deficiency aforesaid to pay the debts and legacies of said testator. That the said testator being then deceased nearly five years, the personal estate being exhausted and the said petitioners as well as the said Alexander McConnell, who was residuary devisee, had

concluded and agreed upon a public sale of all the remaining estate of said decedent in order to finally close said estate.

That the said testator in and by his said will gave to his executors a most full and ample power of sale. That it was apprehended and believed by said petitioners, that the said estate would not prove solvent or be sufficient to pay all its debts and that they found it necessary to proceed to a public sale thereof in view of the lapse of time and the suits aforesaid.

That in order to avoid any question as to the lien of the said decedent's debts being fully discharged by said sales under the power of the said will, it was deemed expedient to make said sale under authority of said Court by said executors at public auction according to law for the payment of said decedent's debts.

They therefore prayed said Court to order, direct and empower them, the said executors to forthwith proceed to expose the said several pieces of real estate to sale by public vendue or outcry according to law, and to make return thereof to said Court from time to time as said sales might respectively be consumated, with powers to make separate returns thereof, as if separate orders therefor had been granted, and with power to re-expose the same from time to time, if not sold at such public vendue when offered, with like effect as if alias orders of sale had been duly applied for and been granted for that purpose and so on from time to time until the whole thereof should be disposed of.

Whereupon the said Court on due consideration, (the answer of said Alexander McConnell, sole residuary devisee aforesaid having been made to said petition admitting the facts therein set forth) the same day referred the said petition to Franklin Swayne as Master and Examiner, to report as to the propriety of granting the prayer thereof.

1877 June 2 No. 133

At an Orphan's Court aforesaid, the said Franklin Swayne, Esquire, Master and Examiner aforesaid, made report to said Court, that in his opinion the prayer of said petitioners should be granted, whereupon the said Court on the same day, on due consideration ordered and decreed, that the prayer of said petitioners be granted, and that George W. Fiss and Theodore C. Search, Executors aforesaid, have power and authority to make sale of said decedent's Real Estate, and they were thereby ordered, directed and empowered to forthwith proceed to expose the said several pieces of Real Estate to sale by public vendue or outcry, according to law, and to make return thereof to said Court from time to time as said sales might be consumated with power to make separate returns thereof, as if separate orders therefor had been granted and also power to re-expose the same from time to time if not sold at such public sale or vendue when offered, with like effect as if alias orders of sale had been duly applied for and granted for that purpose, and so on from time to time until the whole of said Estate should be disposed of.

Docket No 67, page 214.

1877 Sept. 8 No. 134

At an Orphan's Court aforesaid, the said George W. Fiss and Theodore C. Search, Executors made return to the said Court, that in pursuance of the aforesaid order of sale of the second day of June, A. D., 1877, last above recited, after due public notice according to law, they did on the Tenth day of July, Anno Domini, 1877, expose the premises and Messuages therein described, (inter alia), to public sale at the Philadelphia Exchange, in the City of Philadelphia, at Twelve o'clock, noon, (Thomas and Sons being the auctioneers), and then and there sold Parcel No. one of the premises in the tenth place in said order of sale described, (being the premises hereinafter described,) to said Alexander McConnell for the price or

sum of $50,000, subject to the payment of a ground rent principal of $7,000, another ground rent principal of $6,000, and a mortgage principal of $11,000, which said several sums were the highest and best prices respectively bid for the said properties and which said prices are full and fair for the properties mentioned, and which said sale so as aforesaid made, said George W. Fiss and Theodore C. Search, Executors aforesaid prayed might be confirmed to said purchaser by said Court.

Docket No. 67, page 214.

1877 Sept. 22 No. 135

At an Orphan's Court aforesaid, the said Court upon due consideration of the foregoing return to the above recited order of sale, ordered and decreed, that the sales so made to the said Alexander McConnell be ratified and confirmed, and the said several premises so sold be and remain to the said Alexander McConnell, his heirs and assigns, firm and stable forever.

Security to be entered by the said Executors in the sum of $150,000, which security approved by said Court has been duly entered.

Vide Bond Book.

1877 Nov. 30 No. 136

Deed.—George W. Fiss and Theodore C. Search, Executors of the last Will and Testament of Joseph J. Canavan, deceased, to Alexander McConnell, in fee, for inter alia.

All that certain lot or piece of ground, situate in the 28th Ward of the City of Philadelphia. Beginning at the Southwest corner of Lehigh Avenue (80 feet wide) and Eleventh Street, thence extending Southward along the West side of said Eleventh Street 520 feet to the North side of Huntingdon Street, thence extending Westward along the North side of said Huntingdon Street 396 feet to the East side of Twelfth Street, thence extending Northward along the East side of said Twelfth Street

520 feet to the South side of said Lehigh Avenue, and thence extending Eastward alond the South side of said Lehigh Avenue 396 feet to the Southwest corner of said Lehigh Avenue and Eleventh Street and place of beginning.

Being composed of part of the tract of land conveyed by said William Brooke Rawle, administrator, &c., in and by the deed recited in Item No. 94 of this Brief, the whole of said two triangular lots described in Deed recited in Items No. 25 and 127 of this Brief, and the Easternmost part of the lot described in Deed recited in Item No. 54 of this Brief.

Acknowledged same day. Recorded December 22, 1777, in Deed Book D. H. L. No. 129, page 500, &c.

No. 137 The said Alexander McConnell became thus seized in fee of and in the said square of ground, subject as respects so much thereof as is included in the part marked "A" on Plan No. 2; to a yearly ground rent or sum of $420, subas respects so much thereof as is included in the part marked "C" on said plan No. 2, to two certain Mortgage debts of $6,000 and $5,000, and subject as respects so much thereof as is included in that marked "D" on said plan No. 2 to a yearly rent or sum of $360.

1881 July 12 No. 138 The said Alexander McConnell departed this life, having first made and published his last Will and Testament.

1881 Mar. 21 No. 139 **Will** of said Alexander McConnell, wherein and whereby after sundry legacies and devises therein made, and devising all the rest, residue and remainder of his Estate whatsoever to his Executors, their heirs and assigns in trust as therein mentioned, he did by the Eighth Item thereof, will as follows:—

"I hereby authorize, empower and direct my said Ex-
"ecutors to sell and convey, in fee simple, any part or all
"of my Real Estate, situate in this State or at Cape May,
"New Jersey, at such times and upon such terms as they
"shall deem proper, either by private or public sale, and
"to make, execute and deliver perfect deeds of conveyan-
"ces thereof, free, clear and discharged of said trust and
"without liability on the part of the purchaser to see to
"the use of the purchase money, my desire being that the
"property lately purchased by me from the Estate of the
"late Joseph J. Canavan, deceased, shall first be sold, and
"I direct that the said Canavan properties shall be sold
"by my Executors as soon as conveniently may be after
"my decease.

And of his said will he appointed Pierce Archer and John McConnell, Executors and Trustees, giving and granting to them full powers and authorities to do all acts in the premises according to their best judgment: "They not to be responsible for any investments remaining "as made at my death or any depreciation thereof there-"after."

Proven July 21, 1881. Registered at Philadelphia, in Will Book No. 102, page 152.

Letters Testamentary granted to Pierce Archer and J. McConnell as Executors. 1881 July 21 No. 140

As to the Yearly Ground Rent of $420 reserved by Deed recited in Item No. 25 of this Brief.

Recited

The said Gustavus George Logan departed this life.

1882
Mar. 8
No. 141

Deed.—William Rotch Wister and J. Dickinson Sergeant, Trustees for Anna A. Logan, widow of Gustavus George Logan, deceased, under the will of Maria D. Logan, deceased, to Pierce Archer and John McConnell, Executors and Trustees under the last will and testament of Alexander McConnell, deceased, their heirs and assigns, granting, releasing and extinguishing the said yearly ground rent or sum of $420, to the end and intent that the said yearly rent should cease, merge and become forever extinguished in the fee of the said lot of ground and premises.

Acknowledged same day. Recorded May 12, 1882, in Deed Book J. O. D. No. 41, page 52, &c.

As to the Yearly Ground Rent of $360 reserved by Deed recited in Item No. 126 of this Brief.

1872
June 11
No. 142

Deed.—Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and Frederick W. Fotterall, in execution of the power and authority vested in them, nominating, constituting and appointing Clayton MacMichael Trustee under said Indenture, March 6, 1868, (see Item No. 123,) in the room and place of said Frederick W. Fotterall who was desirous of resigning, and the said

Frederick W. Fotterall thereby granted ond assigned unto the said Clayton MacMichael, his heirs, executors, administrators and assigns, all the said Frederick W. Fotterall's undivided share and purpart of and in the said trust Estate and premises, with the appurtenances for the same uses as are set forth in the Deed, March 6, 1868.

Acknowledged same day. Recorded June 29, 1872, in Deed Book J. A. H. No. 254, page 495, &c.

1873 April 18 No. 143

Deed Poll by Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and Clayton MacMichael, wherein the said Clayton MacMichael resigned his office as trustee and thereby constituted and appointed Henry Wharton, his true and lawful attorney for him and in his place and stead, to sign, seal, acknowledge and deliver all and every deed or deeds or other assurances in the law as should be requisite and necessary for the purpose of vesting, all and singular, the trust estate in the continuing trustees, and such other person as should thereafter be nominated and appointed by them in the place and stead of the said Clayton MacMichael.

Acknowledged same day. Recorded July 2, 1873, in Deed Book F. T. W. No. 65, page 34, &c.

1873 June 18 No. 144

Deed.—Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and Clayton MacMichael, trustees aforesaid (the said Clayton MacMichael acting by his attorney-in-fact, the said Henry Wharton) of the first part, George N. Watson of the second part, and the said Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and William Harrison Eisenbrey of the third part.

Wherein the said Edwin T. Eisenbrey, Winfield S. Russell and Stephen B. Fotterall, continuing trustees aforesaid, nominated and appointed the said William

Harrison Eisenbrey, trustee in place and stead of said Clayton MacMichael, and the said party of the first part granted, conveyed and assigned and set over unto the said George N. Watson, his heirs, executors, administrators and assigns, all their several and respective estate, right, title, interest, property, claim and demand of and in the said trust estate and premises with the appurtenances. To hold to the said George N. Watson, his heirs. executors, administrators and assigns to the only proper use and behoof of the said parties of the third part thereto their heirs, executors, administrators and assigns.

In trust for the same uses, intents and purposes, and subject to and with the powers, authorities, conditions, limitations, trusts and stipulations contained and set forth in the said Indenture of Trust of the sixth day of March, A. D. 1868.

Acknowledged same day. Recorded July 2, 1873, in Deed Book F. T. W. No. 65, page 1, &c.

1874 June 16 No. 145

Deed Poll.—Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and William Harrison Eisenbrey, Trustees aforesaid, nominating, constituting and appointing the said Frederick W. Fotterall, Trustee under the said Deed of Trust, March 6, 1868, in place of William Harrison Eisenbrey, who was desirous of resigning his office of Trustee.

And the said William Harrison Eisenbrey thereby granted and conveyed and assigned unto the said Frederick W. Fotterall, his heirs, executors, administrators and assigns, all his, the said William Harrison Eisenbrey's undivided share and purpart of and in said Trust Estate and premises, in trust to and for the same uses, &c.

Acknowledged same day. Recorded November 17, 1874, in Deed Book F. T. W. No. 155, page 472, &c.

In the Supreme Court

for the Eastern District of Pennsylvania, sitting in equity.

July Term, 1872, No. 4.

Emma Louisa Evans

vs.

Winfield S. Russell and Edwin T. Eisenbrey, Trustees under the Marriage Settlement of the said Emma Louisa Evans, (formerly Emma L. Fotterall,) Mary Ann B. Potter, the said Winfield S. Russell, and Catharine S., his wife, in her right, Stephen B. Fotterall, Sarah E. Fotterall, and Sarah K. Fotterall.

May 15, 1872, answer of Def't. filed.

May 15, 1872, Replication filed.

And now May 16, 1872, on motion of Wm. Henry Rawle, Esq., for complainant, the Court appointed Samuel Robb, Esquire, as Master and Examiner in this cause, to report to the Court upon the law and facts, and the decree proper to be made thereon.

Bill in Equity filed April 20, 1872.

Dec. 30, 1872, Per order of Def't in writing filed this case is certified to Supreme Court in banc.

Jany. 31, 1874, assignment of Error filed.

Feby. 11, 1874, argued April 2, 1874.

April 2, 1874, Decree of Nisi Prius is affirmed with cost and appeal dismissed.

Opinion of Agnew C. J. filed.

Nov. 27, 1872, Masters Report filed, Eo. die Exceptions filed.

Dec. 27, 1872, Exceptions dismissed and report confirmed pro forma.

Decree accordingly.

PER CURIUM

"Decree."

And now this Twenty-seventh day of December, 1872, this cause coming on to be heard upon the exceptions to the Masters report, and upon motion for final decree, and thereupon upon consideration thereof, it is ordered, adjudged and decreed pro forma, that the defendants, Winfield S. Russell and Edwin T. Eisenbrey, Trustees under the Indenture of Marriage Settlement mentioned in the pleadings in this cause, do within Twenty days from the date hereof re-assign and re-convey unto the plaintiff, Emma Louisa Evans, her heirs, executors, administrators and assigns, the lands, tenements, hereditaments, property, effects and investments forming the subjects of the trusts of the said Indenture of Settlement, and now held as the same are now held by them, the said Winfield S. Russell and Edwin T. Eisenbrey under and by virtue of the said Indenture, and it is further ordered and decreed, that the costs of suit and expenses of counsel be paid out of the Capital of the Trust Estate.

PER CURIUM.

1874, July 15, this decree satisfied and Prothy's costs paid per order of Complainant's attorney in writing filed.

1874
June 30
No. 147

Deed.—Winfield S. Russell and Edwin T. Eisenbrey, trustees under the said Indenture or Deed of Marriage Settlement, (see Item No. 117 of this Brief.) in pursuance and in obedience to the order and decree of the Supreme Court of Pennsylvania to Emma Louisa Evans, her heirs and assigns, inter alia.

Reciting Deed of Marriage Settlement, May 31, 1866, and the death of said William E. Evans, leaving the said Emma Louisa Evans, but no children, the said Bill in Equity in the Supreme Court of Pennsylvania, and the

decree thereon, and by this Indenture, granting and conveying unto the said Emma Louisa Evans, her heirs, executors, administrators and assigns.

All and singular, the lands, tenements and hereditaments, funds, securities and investments whatsoever, and wheresoever the same may be situated, now forming and comprising the subject of the trusts under the said Indenture of Settlement of the 31st day of May A. D. 1866, as full to all intents and purposes as if the same were herein at large set forth, including, inter alia, the undivided tenth part of and in the said yearly ground rent or sum of $360.

Acknowledged same day. Recorded November 17, 1874, in Deed Book F. T. W. No. 175, page 36, &c.

1874 Sept. 30 No. 148

Deed between Edwin T. Eisenbrey and others of the first part, Emma Louisa Evans, widow of the second part, and Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall and Frederick W. Fotterall all of the third part.

Reciting as therein recited and that the said Emma Louisa Evans was desirous of vesting her undivided tenth part of and in (inter alia) the yearly ground rents, &c. in the said parties of the third part, in trust as hereinafter mentioned, and the said Emma Louisa Evans, in consideration of one dollar, did grant, bargain, sell, assign, transfer, release and confirm unto the said parties of the third part, one undivided tenth part of and in, inter alia, the said yearly ground rent of $360.

In trust nevertheless to, for and upon the like and same uses, intents and purposes and with, under and subject to the same and like powers and authorities, in all respects as are mentioned, set forth, contained and declared in and by the herein recited Indenture of the 6th day of March, A. D. 1868 as if the said Emma Louisa Evans

had united therein in the conveyance of her undivided tenth part of and in the thereby granted premises.

Acknowledged same day. Recorded November 17, 1874, in Deed Book F. T. W. No. 155, page 476, &c.

1881
July 21
No. 149

Deed.—Edwin T. Eisenbrey, Winfield S. Russell, Stephen B. Fotterall, and Frederick W. Fotterall, trustees under the said Indenture of March 6, 1868, and the last above recited deed to "The Orphans' Society of the City of Philadelphia," their successors and assigns for the said yearly ground rent or sum of $360.

Acknowledged same day. Recorded same day in Deed Book L. W. No. 165, page 488, &c.

1816
Jan. 29
No. 150

CHARTER

OF

The Orphans' Society of Philadelphia.

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, &c.* That all such persons of the female sex as now are or hereafter may become subscribers to the Orphans' Society of Philadelphia in the manner hereinafter provided, be and they hereby are incorporated into a Society by the name of the "Orphans' Society of Philadelphia," and by that name shall have perpetual succession, with power to have a common seal and change the same at pleasure, to make contracts relative to the institution, to sue and to be sued and by that name and style be capable in law of purchasing, taking, holding and conveying any estate, real or personal, for the use of said Corporation.

Pamphlet Laws 1816, No. 19, page 29, &c.

1883
Jan. 2
No. 151

At a Stated Meeting of the Board of Managers of the Orphans' Society of Philadelphia, the following Resolution was presented and passed, viz:

"Resolved: That the First Directress and Secretary "of the Board of Managers of the Orphans' Society of "Philadelphia are hereby authorized to execute and "deliver a deed, extinguishing the ground rent of $360 "per annum, held by the Society on the lot of ground "at the North-West corner of Eleventh and Hunting- "don Streets, upon the payment of the principal of the "above ground rent to the Treasurer of the Society."

Certified copy produced. Recorded January 31, 1883, in Deed Book J. O'D, No. 86, page 258, &c.

1883
Jan. 16
No. 152

Deed.—The Orphan's Society of Philadelphia to Pierce Archer and John J. McConnell, executors and trustees under the last will and testament of Alexander McConnell, deceased, their heirs and assigns, reciting inter alia, the assignment of the said ground rent to the said Corporation by the name of The Orphans' Society of the City of Philadelphia, and granting, releasing and extinguishing the said yearly ground rent or sum of $360

This Gd R is on lot D. only

Proven same day. Recorded January 31, 1883, in Deed Book J. O'D. No. 86, page 253, &c.

1882
Dec. 16
No. 153

At an Orphan's Court for the City and County of Philadelphia, the petition of Joseph D. Thornton was presented, setting forth, inter alia, that the said Pierce Archer and John J. McConnell, executors aforesaid, in pursuance of the authority vested in them, and in order to pay the debts of said decedent, had agreed to sell and have sold to the petitioner.

All that lot or piece of ground, situate on the North-east corner of Twelfth Street and Huntingdon Street, in

the 28th Ward of the City of Philadelphia, thence extending Northward along the East side of said Twelfth Street 520 feet to the South side of Lehigh Avenue, thence extending Eastward along the South side of Lehigh Avenue 316 feet to a point, thence extending Southward on a line parallel with said Twelfth Street 120 feet to another point, thence extending Eastward on a line parallel with said Lehigh Avenue 80 feet to the West side of Eleventh Street, thence extending Southward along the West side of said Eleventh Street 400 feet to the North side of said Huntingdon Street, and thence Westward along the North side of said Huntingdon Street 360 feet to the place of beginning, for the price or sum of $50,000, upon the terms and conditions set forth in a certain agreement of sale in said petition recited.

That the Petitioner was desirous of paying the purchase money or consideration of said sale to the said Executors, to be disposed of by them according to the uses and trusts contained in said will of the said decedent, and so that the said Real Estate shall be purchased by him free, clear and discharged from the lien of debts of the said decedent.

The Petitioner therefore prayed that the said Court to grant leave to him as purchaser as aforesaid, to pay, and the said Executors to receive the said purchase money from him, to be disposed of according to the uses and trusts contained in said will, and so that the said Real Estate shall be sold free and clear, and discharged from the lien of said decedent's debts.

Whereupon the said Court, on the same day, upon consideration of said petition, did decree that the said Joseph D. Thornton have leave to pay the purchase money, to wit: $10,000 in cash, and a purchase money mortgage of $29,000 (two mortgages, $6000 and $5000 respectively on said premises to remain as liens,) to Pierce Archer and John J.

McConnell, Executors as aforesaid, and that such payment shall be valid against all persons having or who may have an interest therein.

Security to be entered in the sum of $15,000 which has been approved by said Court and duly entered.

Orphan's Court Docket, October Term, 1881, Item No. 227, page 288, &c.

Deed.—Pierce Archer and John J. McConnell, executors and trustees aforesaid of the one part and Joseph D. Thornton of the other part. 1883 Jan. 22 No. 154

Reciting, inter alia, the conveyance in Item No. 136 to the said Alexander McConnell, his decease, Last will and testament, the conveyance and extinguishment of the two several yearly ground rents of $420 and $360 respectively mentioned in Items Nos. 141 and 152 of this Brief, and granting and conveying unto the said Joseph D. Thornton, his heirs and assigns, the lot or piece of ground last above described and all the estate, right, title, &c. whatsoever, which was of the said Alexander McConnell, at and immediately before the time of his decease or which was of them, the said Pierce Archer and John J. McConnell, executors and trustees aforesaid at law, equity or otherwise howsoever of, in and to the same and every part thereof.

Subject to the payment of the two several mortgage debts of $6000 and $5000, recorded in Mortgage Book J. A. H. No. 233, page 480, and Mortgage Book J. A. H. No. 236, page 237, &c. Satisfied of record Jan. 31 1883

Acknowledged same day. Recorded January 31, 1883, in Deed Book J. O'D. No. 86, page 258, &c. Certificate of the Clerk of the Orphan's Court for the County of Philadelphia annexed to this deed that security required by the order of said Court had been duly entered.

No. 155 I have examined the above Brief and I am of opinion that a good title in fee is shown in Joseph D. Thornton, for the property described in the above deed to him, dated January 22, 1883. Subject however to the two mortgages therein mentioned; and subject to the restrictions as to buildings on part of the premises included in the portion marked "A" on the plan.

No searches have been produced to me.

EDWARD OLMSTED.

February 9, 1883.

1883 Feb. 20 No. 156 **One Hundred and Sixteen Deeds.**—Joseph D. Thornton and wife to William L. Rhinehart, in fee, for the one hundred and sixteen lots as shown upon the following plan. Reserving thereout unto the said Joseph D. Thornton, his heirs and assigns, one hundred and sixteen yearly ground rents as thereon designated.

Acknowledged same day. Recorded February 23, 1883, in Deed Books J. O'D. No. 97,

pages 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41,
45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89,
93, 97, 101, 105, 109, 113, 117, 121, 125,
129, 133, 137, 141, 145, 149, 153, 157, 161,
165, 169, 173, 177, 181, 185, 189, 193, 197,

J. O'D. No. 98, pages 1, 5, 9, 12, 17, 21, 26,
30, 34, 38, 42, 46, 50, 54, 58, 62, 66, 70, 74,
78, 82, 86, 90, 94, 98, 102, 106, 110, 114,
118, 122, 126, 130, 134, 138, 142, 146, 150,
154, 158, 162, 166, 170, 174, 178, 182, 186,

98 99 100 101
190, 194, 198, J. O'D. No. 96, pages 135,
102 103 104 105 106 107 108 109 110
140, 144, 149, 153, 158, 162, 167, 172, 176,
111 112 113 114 115 116
181, 185, 190, 194, 199, 203, &c.

Deed.—William L. Rhinehart to James H. Harper, in fee, for the said one hundred and sixteen lots of ground. Subject to the aforesaid one hundred and sixteen yearly ground rents. 1883 Feb. 20 No. 157

Acknowledged same day. Recorded February 23, 1883, in Deed Book J. O'D. No. 96, page 131, &c.

From the records and papers produced.

EDWIN T. COXE,
T. ELLWOOD POTTS.

Department for Supplying the City with Water

OFFICE OF THE REGISTRAR OF WATER RENTS.

PHILADELPHIA, JAN. 18, 1883.

I hereby certify that all the Water rents on premises W. Lehigh Ave. S. S., S. W. Cor. of 11th to S. E. Cor. of 12th in the 28th Ward, which said premises now stand in the name of A. McConnell, have been paid to the year 1878, inclusive.

JOSEPH FISHER.

On Examination of the Judgment Index of the Court of Common Pleas for the County of Philadelphia, from July 1st, A. D., one thousand eight hundred and eighty-one, (1881), to the Thirteenth (13) day of January, one thousand eight hundred and eighty-three, (1883,) I find no unsatisfied Judgments entered therein within that period against

Orphans' Society of Philadelphia.

The Orphans' Society of the City of Philadelphia,

Pierce Archer,
John or John J. McConnell, } *Executors and Trustees.*

Certified by
CHAS. F. TYER,
Pro Proth'y.

{ SEAL }

None to Feby. 5, 1883,
CHAS. F. TYER,
Pro Proth'y.

On Examination of the Judgment Index of the Court of Common Pleas for the County of Philadelphia, from July 1st, A. D., one thousand eight hundred and seventy-six, (1876) to the Thirteenth (13) day of January, one thousand eight hundred and eighty-three, (1883) I find the following unsatisfied Judgments entered therein within that period against
Alexander McConnell.

1. City, 1. M 78, 1221, D. S. B. May 24, '78, $300.
2. " 2. S 78, 105, M. L. D, Oct. 15, '78, $38.40
3. " 1. S 79, 59, M. L. D. Sept. 26, '79, $30.32
4. " 1. D 75, 377, M. L. D. Pfeiffer, Sept. 11, '80, S. F.
5. " 1. " 378, " " " " "
6. " 1. " 377, " " Nov. 20, '80, $43.
7. " 1. " 378, " " " " $79.70
8. " 2. M 81, 87, M. L. D. Mch. 30, '81, $18.06
9. " 2. " 145, " " " $18.06
10. John Embley, 4. D 81, 390, D. S. B. Jan. 20, '82, $700

Certified by
CHAS. F. TYER,
Pro Proth'y.

{ SEAL }

No other to Feb'y 5, 1883.

CHAS. F. TYER,
Pro Proth'y.

EXPLANATION.

No. 1. The within Judgment is not against Alexander McConnell, deceased, but is against Alexander McConnell residing at No. 2026 Amber Street, Philadelphia.

No. 2. Claim for Taxes, 1873 to 1876, Premises N. E. corner of 12th and Venango Street. 50x185.6

No. 3. Same as No. 2.

No. 4. Sci. fa. sur. Claim for Taxes. Premises W. side Harshaw St., 32 feet S. of Fitzwater St.

No. 5. Sci. fa. sur. Claim for Taxes. Premises S. W. corner of Harshaw and Fitzwater Sts.

No. 6. Judgment on No. 4.

No. 7. Judgment on No. 5.

No. 8. Claim for Taxes E. side Bevan St. 215 feet 6 inches S. of Fremont St.

No. 9. Claim for Taxes W. side of Almond St. 59 feet 6 inches S. of Fremont St.

No. 10 is not against Alexander McConnell, deceased.

I Do Certify That, that, on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, from July 1st, 1876 to the Nineteenth day of January (1883) one thousand eight hundred and eighty-three, I find no unsatisfied Judgments entered within that period against
Alexander McConnell.

{ SEAL }

WM. A. SMITH,
Pro Proth'y.

None to February 8, 1883.

WM. A. SMITH,
Pro Proth'y.

I Do Certify That, that, on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, from July 1st, 1881 to the Nineteenth day of January (1883) one thousand eight hundred

and eighty-three, I find no unsatisfied Judgments entered within that period against

"Orphans' Society of Philadelphia."

"The Orphans' Society of the City of Philadelphia."

Pierce Archer,
John or John J. McConnell, } *Executors and Trustees.*

WM. A. SMITH,
Pro Proth'y.

{ SEAL }

None to February 8, 1883.

WM. A. SMITH,
Pro Proth'y.

THE REAL ESTATE TITLE INSURANCE AND TRUST COMPANY OF PHILADELPHIA; hereby certify that the Lists of Judgments in the United States Circuit Courts at Pittsburgh, Erie, and Williamsport, and the United States District Court at Pittsburgh, Pennsylvania, certified to them by the Clerks of said Courts, do not show any judgments against

Alexander McConnell, since July 1, 1876.

Orphans' Society of Philadelphia,

The Orphans' Society of the City of Philadelphia.

Pierce Archer,
John or John J. McConnell, } *Executors and Trustees.*

from July 1, 1881 to January 16, 1883, inclusive.

None to February 1, 1883, inclusive.

JOHN B. HENKELS,
Clerk.

WITNESS the seal of the said corporation, the 18th day of January, A. D., 1883.

{ SEAL }

JOHN B. HENKELS,
for Secretary.

N. B.—Judgments in the District Courts at Erie and Williamsport are docketed in the Clerk's office at Pittsburgh.

COURT OF QUARTER SESSIONS OF THE PEACE
FOR THE CITY AND COUNTY OF PHILADELPHIA.

I Certify, That I have examined the Records of the aforesaid Court, and do not find any unsatisfied Judgments against
Orphans' Society of Philadelphia.
The Orphans' Society of the City of Philadelphia.
Pierce Archer,
John or John J. McConnell, } *Executors and Trustees.*
since July 1, 1881.

{ SEAL }

WM. L. FOREMAN,
Pro Clerk.

January 18, 1883.

None to February 5, 1883.

W. L. F.

COURT OF QUARTER SESSIONS OF THE PEACE
FOR THE CITY AND COUNTY OF PHILADELPHIA.

I Certify, That I have examined the Records of the aforesaid Court for five years past, and do not find any unsatisfied Judgments against
Alexander McConnell, since July 1, 1876.

{ SEAL }

WM. L. FOREMAN,
Pro Clerk.

January 18, 1883.

None to February 5, 1883.

W. L. F.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA. } *ss.*

I, CHARLES S. LINCOLN, Clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied Judgments

remaining on Record in my office, obtained against Alexander J. McConnell, since July 1, 1876.

{ SEAL }

JOHN. B. BEAVER,
Pro Clerk District Court.

Philadelphia, this 15th Day of
January, A. D., 1883.

None to February 5, 1883.

JOHN B. BEAVER,
Pro Clerk.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA. } *sct.*

I, SAMUEL BELL, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied Judgments remaining on Record in my office, obtained against
Alexander McConnell, since July 1, 1876.

{ SEAL }

JOHN B. BEAVER,
Pro Clerk Circuit Court.

Philadelphia, this 15th Day of
January, A. D., 1883.

None to February 5, 1883.

JOHN B. BEAVER,
Pro Clerk.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA. } *sct.*

I, SAMUEL BELL, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied

Judgments remaining on Record in my office, obtained against
"Orphans' Society of Philadelphia."
"The Orphans' Society of the City of Philadelphia."
Pierce Archer,
John or John J. McConnell, } *Executors and Trustees.*
since July 1, 1881.

{ SEAL }

JOHN B. BEAVER,
Pro Clerk Circuit Court.

Philadelphia, this 15th day of
January, A. D., 1883.

None to February 5, 1883.

JOHN B. BEAVER,
Pro Clerk.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA. } *ss.*

I, CHARLES S. LINCOLN, Clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied Judgments remaining on Record in my office obtained against
"Orphans' Society of Philadelphia."
"The Orphans' Society of the City of Philadelphia."
Pierce Archer,
John or John J. McConnell, } *Executors and Trustees.*
since July 1, 1881.

{ SEAL }

JOHN B. BEAVER,
Pro Clerk District Court.

Philadelphia, this 15th day of
January, A. D., 1883.

None to February 5, 1883.

JOHN B. BEAVER,
Pro Clerk.

A certain square of ground situate in the Twenty-eighth Ward of the City of Philadelphia. Bounded on the North by Lehigh Avenue, on the South by Huntingdon Street, on the East by Eleventh Street, and on the West by Twelfth Street. Containing in front on said Lehigh Avenue and Huntindon Street respectively Three hundred and ninety-six feet, and along said Eleventh Street and Twelfth Street respectively Five Hundred and twenty feet.

On examining the Locality Indices of the Courts of Common Pleas and the late District Court, I find nothing against the above described premises since Jan'y 16, 1878.

S. B. VANDUSEN,
Pro Proth'y.

{ SEAL }

January 16, 1883.

None to February 5, 1883.

S. B. V D.,
Pro Proth'y.

On searching the Indices of Claims in the City Solicitor's Office, I find nothing against the premises as above described.

ROBT. T. CORSON,
Assistant Solicitor.

January 18, 1883.

A CERTAIN SQUARE OF GROUND situate in the Twenty-eighth Ward of the City of Philadelphia. Bounded on the North by Lehigh Avenue, on the South by Huntingdon Street, on the East by Eleventh Street, and on the West by Twelfth Street.

Containing in front on said Lehigh Avenue and Huntingdon Street respectively Three hundred and ninety-six feet, and along said Eleventh Street and Twelfth Street respectively Five hundred and twenty feet.

(The said square of ground being composed of parts of Four certain tracts of land, one of 164 Acres 151 perches, one other of 19 Acres 12 perches, one other of 19 Acres 128 perches, and the other of 57 Acres and 6 perches, together with a part of Township Line Road vacated.*)

* Act of 21 Ap. 1871 P. L. 491

PLEASE CERTIFY every unsatisfied Mortgage made of the above described square of ground, or any part thereof, or of any yearly ground rent or ground rents issuing out of the same or any part thereof, by

John Dickinson, from Jany. 1, 1778, to April 1, 1808.

Maria Dickinson, from Jany. 1, 1803, to Oct. 1, 1860.

Maria D. Logan,
Albanus C. Logan, } from Jany. 1, 1803, to Oct. 1, 1860.

William Rotch Wister,
J. Dickinson Sergeant, } from Nov. 1, 1859, to June 1, 1882.

James Taylor,
Mary Taylor, } from Aug. 1, 1751, to April 1, 1774.

Joseph Richardson, from Dec. 1, 1756, to May 1. 1759.

Elizabeth Taylor,
George Taylor.
Rachael Taylor, } Nov. 1, 1773, to March 1, 1797.

Moses Nathans, from Aug 1. 1796, to Jan'y 1, 1816.

Miriam Nathans,
Jacob Nathans,
Isaiah Nathans,
Nathan Nathans,
Isabella Nathans,
Sophia Nathans,
David Nathans,
John Cridland,
Miriam Cridland, } from Jan'y 1, 1815, to Jan'y 1, 1842.

Rebecca Nathans, *in her own right and as Trustee*, from Jan'y 1, 1815, to Aug. 1, 1872.
Thomas P. McMahon, from May 1, 1818, to April 1, 1831.
Charles Bird, from June 1, 1831, to June 1, 1833.
Emily Ogden, from May 1, 1833, to Aug. 1, 1833.
John W. McCurdy, from Jan'y 1, 1845, to April 1, 1845.
Michael Ryan, from Feb'y 1, 1845, to Nov. 1, 1845.
Patrick Levy, from Oct. 1, 1845, to June 1, 1863.
James Campbell, *Trustees*, } from Feb'y 1, 1852, to June 1,
Rodger Brown, } 1863.
John G. Williams, from Feb'y 1, 1862, to Feb'y 1, 1863.
William P. Schell, from Nov. 1, 1862, to June 1, 1863.
Franklin S. Seitzinger, from April 1, 1863, to July 1, 1863.
James Hamilton O'Beirne, from May 1, 1863, to Dec. 1, 1870.
William Brooke Rawle, *Admr.*, } from Aug. 1, 1869, to
Henrietta Francis O'Beirne, *Exec.* } June 1, 1872.
Stephen E. Fotterall, from April 1, 1835, to Nov. 1, 1839.

Stephen G. Fotterll,
William F. Fotterall,
William J. Duane,
Evans Rogers,
David Winbrenner,
Ellen Matilda Fotterall,
Mary A. Fotterall,
Sarah A. Fotterall,
Anna E. Fotterall,
John Henry Fotterall,
Stephen E. Fotterall,
Cornelia F. Fotterall,
Mary Ann B. Fotterall,
Catharine S. Fotterall,
Elizabeth E. Fotterall,
Charles H. Mellon,
Samuel R. Potter,
Elizabeth E. Meares,
} from July 1, 1839, to July 2, 1865.

Emma L. Fotterall, from July 1, 1839, to May 1, 1868.

Frederick W. Fotterall,
Winfield S. Russell,
Edwin T. Eisenbrey,
} from July 1, 1839, to Aug. 1, 1881.

Catharine or Catharine S. Babcock,
Elizabeth or Elizabeth F. Babcock,
Elizabeth or Elizabeth F. Fleming,
Samuel F. Babcock,
Charles E. Fleming,
} from July 1, 1839, to Feb'y 1, 1868.

Sarah E. Fotterall,
Stephen B. Fotterall,
Sarah K. Fotterall,
} from July 1, 1839, to May 1, 1868.

George N. Watson, from May 1, 1866, to Aug. 1, 1873.

Ellen Matilda Eisenbrey,
Mary A. Mellon,
James Harriman,
Sarah A. Harriman,
Anna E. MacMichael,
Mary Ann B. Potter,
Catharine S. Russell,
} from July 1, 1839, to May 1, 1868.

Clayton MacMichael, from July 1, 1839, to Aug. 1, 1873.

William Elbert Evans, from July 1, 1839, to July 1, 1869.

Emma L. Evans, from May 1, 1866, to Dec. 1, 1874.

John L. Meares, from July 1, 1839, to July 1, 1866.

William Harrison Eisenbrey, from June 1, 1873, to Dec. 1, 1874.

Orphans' Society of Philadelphia,
The Orphans' Society of the City of Philadelphia,
} from July 1, 1881, to the day you Certify.

David Murtha, from Feb'y 1, 1872, to May 1, 1872.

Joseph J. Canavan, from Jan'y 1, 1872, to Sept. 1, 1872.

George W. Fiss, *Exec.*
Theodore C. Search, *Exec.*
} from June 1, 1872, to Jan'y 1, 1878.

Alexander McConnell, from July 1, 1877, to Aug. 1, 1881.

Peirce Archer, *Exec.* } from March 1, 1881 to
Johh or John J. McConnell, *Exec.* } the day you Certify.

To Real Estate Title Ins. Co.

No. 21883.

The Real Estate Title Insurance and Trust Company of Philadelphia, hereby certifies that there is no Unsatisfied Mortgage on record, of the above described Premises, or any part thereof, or of any Yearly Ground Rents issuing thereout, given by either of the Two Corporations and Eighty-eight persons above named and recorded within the Periods above specified, except four as per schedule below.

Witness the Seal of the said Company, the Thirteenth day of January, A. D. 1883.

{ SEAL }

JOHN B. HENKELS,
Clerk.

1. May 22, 1818, Thomas P. McMahon to Ann McMahon, $9,163.50, Recorded July 27, 1818, M. R. 9, page 102.
2. May 15, 1872, Jos. J. Canavan to Philadelphia S. F. Society, $6,000, Recorded May 15, 1872, J. A. H. 233 page 480.
3. May 16, 1872, Same to John G. Palairet, et al, $5,000 Recorded May 16, 1872, J. A. H. 236, page 237.
4. December 20, 1877, Alexander McConnell to Geo. W. Fiss, et al, $50,000, Recorded Dec. 21, 1877, D. H. L. 197, page 305.

No. others to Feb'y 3, 1883, inclusive.

JOHN B. HENKELS,
Clerk.

Search has also been made from 1749 to Oct. 5, 1882, in the Company's Locality Indexes of the Unsatisfied Mortgages which have been located and no other Mortgages affecting the premises as described, have been found therein, except four, viz:

5. Dec. 8, 1840, Bernard Duke, et ux, to Michael Ryan, $2,000, Recorded Jan'y 22, 1841, G. S. 10, page 686.
6. Dec. 31, 1841, Bernard Duke et ux, to Michael Ryan, $2,000, Recorded Jan'y 24, 1842, G. S. 16, page 210.
7. June 1, 1842, Bernard Duke, et ux, to Peter Wager, $5,250, Recorded June 16, 1842, G. S. 19, page 223.
8. April 25, 1882, Gaston Presbyterian Church, to Wm. R. Wister, et al, $7,000, Recorded May 12, 1882, J. O'D. 31, page 76.

JOHN B. HENKELS,
Clerk.

EXPLANATION OF THE ABOVE SEARCH.

No. 1. discharged by Sheriff's sale, see Items Nos. 68 and 69 of Brief.

Nos. 2 & 3. satisfied of Record.

No. 4. By Release Recorded Jan'y 31, 1883, the premises described in Deed to Joseph D. Thornton released from the lien of this Mortgage, see release of Mortgage Book No. 5, page 158.

Nos. 5, 6 & 7. discharged by Sheriff's sale, see Items No. 73 and 74 of Brief.

No. 8 is against lot of ground at South-west corner of Eleventh Street and Lehigh Avenue, 80 feet on Lehigh Avenue and 120 feet on Eleventh Street does not affect any part of the lot conveyed to Jos. D. Thornton, by deed, Item No. 154 of Brief.

A certain square of ground situate in the Twenty-eighth Ward of the City of Philadelphia. Bounded on the North by Lehigh Avenue, on the South by Huntingdon Street, on the East by Eleventh Street, and on the West by Twelfth Street. Containing in front on said Lehigh Avenue and Huntindon Street respectively Three hundred and ninety-six feet, and along said Eleventh Street and Twelfth Street respectively Five hundred and twenty feet.

Please certify every conveyance made of the above premises or any part thereof by
Rebecca Nathans, from May 1, 1841, to Feb'y 1, 1873.
Patrick Levy, from Oct. 1, 1845, to Dec. 1, 1863.
James Campbell, } from Feb'y 1, 1852, to Dec. 1, 1863.
Rodger Brown, }
John G. Williams, from Feb'y 1, 1852, to Aug 1, 1863.
William P. Schell, from Nov. 1, 1862, to Dec. 1, 1863.
Franklin S. Seitzinger, from April 1, 1863, to Jan'y 1, 1864.

Also any Sheriffs' sale of the premises or any part thereof.

No. 7526.

The Real Estate Title Insurance and Trust Company of Philadelphia, hereby certifies that there is no conveyance of the above described premises or any part thereof, made by either of the Seven (7) persons above named and recorded in Philadelphia within the periods above specified, except seven as per schedule below.

Witness the Seal of the said Company, the Thirteenth day of January, A. D., 1883.

JOHN B. HENKELS,
Clerk.

{ SEAL }

1. May 30, 1872, Rebecca Nathans, Trustee, to Joseph J. Canavan, Recorded July 9, 1872, J. A. H. 259, page 432.
2. Feb'y 3, 1862, Patrick Levy, et ux, to Jno. G. Williams, Recorded Oct. 18, 1862, A. C. H. 63, page 302.
3. April 6, 1853, Jas. Campbell, et al, Trustees, to Patrick Levy, Recorded May 25, 1863, A. C. H. 89, page 550
4. Feb'y 25, 1852, Patrick Levy, et ux, to Jas. Campbell, et al, In Trust, Recorded May 25, 1863, A. C. H. 97, page 333.
5. Nov. 26, 1862, John G. Williams, et ux, to William P. Schell, Recorded Jan. 6, 1863, A. C. H. 75, page 89.
6. Apl. 11, 1863, William P. Schell, et ux, to Franklin S. Seitzinger, Recorded May 25, 1863, A. C. H. 97, page 307.
7. May 15, 1863, Franklin S. Seitzinger, to Jas. H. O'Beirne, Recorded May 21, 1863, A. C. H. 104, page 22.

The above conveyances are all in the Title, see Items Nos. 54, 83, 79, 78, 84, 85 and 86 of Brief.

Search has also been made from May 3, 1879, to July 1, 1882, in the Company's Locality Indexes of conveyances which have been located and no conveyances affecting the premises as described have been found therein, except five, viz:

1. July 21, 1881, Edwin T. Eisenbrey, et al, to Orphan Society, Recorded July 21, 1881, L. W. 165, page 488.
2. Mch. 7, 1882, Philad'a S. F. Society, (Release of Mtg.) Recorded May 12, 1882, R. of M. 3, page 411.
3. Mch. 8. 1882, Geo. W. Fiss, et al, (Release of Mtg.) Recorded May 12, 1882, R. of M. 3, page 415.

4. Mch. 24, 1882, Peirce Archer, et al, Exec. to Gaston Presbyterian Church, Recorded May 12, 1882, J. O'D. 41, page 44.
5. Mch. 8, 1882, Wm. R. Wister, et al, Trustees, to Peirce Archer, et al, Exec., Recorded May 12, 1882, J. O'D. 41, page 52.

NOTE.—The three following appear on our Locality Index.

6. Nov. 9, 1861, Lewis H. Redner, et al, (Partition) Recorded Feb'y 1, 1862, A. C. H. 28, page 72.
7. April 24, 1872, Wm. R. Wister, et al, Trustees, to Jos. J. Canavan, Recorded April 26, 1872, J. A. H. 239, page 212.
8. Sept. 30, 1874, Edwin T. Eisenbrey, et ux, et al, to Edwin T. Eisenbrey, et al, Recorded Nov. 17, 1874, F. T. W. 155, page 476.

JOHN B. HENKELS,
Clerk.

THE REAL ESTATE TITLE INSURANCE AND TRUST COMPANY OF PHILADELPHIA, hereby certify that there have been no Sheriff's sales of the above described premises since Dec. 1, 1843, except one as per schedule below.

Witness the Seal of the said Corporation, the Thirteenth day of January, A. D., 1883.

{ SEAL }

JOHN B. HENKELS,
Clerk.

9. Bernard Duke et ux, S. C. L. F. Sale Feb'y 3, 1845, I. S. C. 1, page 317.

No other to Feb'y 3, 1883, incl.

JOHN B. HENKELS,
Clerk.

There are no Deeds of the above described premises ro any part thereof made by Marshalls of the United States for the Eastern District of Pennsylvania, and Recorded between December 1st, 1843, and January 11th, 1883, in the Clerk's Office of the United States District Court at Philadelphia.

JOHN B. HENKELS,
Clerk.

None to Jan'y 24, 1883, inclusive.

JOHN B. HENKELS,
Clerk.

EXPLANATION OF THE ABOVE SEARCH.

No. 1. See Item No. 149 in Brief.

Nos. 2, 3 & 4 refer only to lot South-west corner Eleventh Street and Lehigh Avenue, 80 feet on Lehigh Avenue and 120 feet on Eleventh Street.

No. 5. See Item No. 141 in Brief.

No. 6. See Item No. 23 in Brief.

No. 7. See Item No. 25 in Brief.

No. 8. See Item No. 148 in Brief.

No. 9. See Item No. 74 in Brief.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLNANIA. } *ss.*

I, CHARLES S. LINCOLN, Clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied Judgments remaining on Record in my office, obtained against Joseph D. Thornton, William L. Rhinehart, James H. Harper, since December 1, 1882.

{ SEAL }

JOHN B. BEAVER,
Pro Clerk District Court.

Philadelphia, this 21st day of
May, A. D., 1883.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA. } *sct.*

I, SAMUEL BELL, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied Judgments remaining on Record in my office, obtained against

Joseph D. Thornton, William L. Rhinehart, James H. Harper, since December 1, 1882.

{ SEAL }

JOHN B. BEAVER,
Pro Clerk Circuit Court.

Philadelphia, this 21st day of May, A. D., 1883.

COURT OF QUARTER SESSIONS OF THE PEACE
FOR THE CITY AND COUNTY OF PHILADELPHIA.

I Certify, That I have examined the Records of the aforesaid Court for five years past, and do not find any unsatisfied Judgments against

Joseph D. Thornton, William L. Rhinehart, James H. Harper.

{ SEAL }

WM. L. FOREMAN,
Pro Clerk.

May 23, 1883.

On Examination of the Judgment Index of the Court of Common Pleas for the County of Philadelphia, from December 1st, A. D., one thousand eight hundred and eighty-two, (1882) to the 19th day of May, one thousand eight hundred and eighty-three, (1883) I find no

unsatisfied Judgments entered therein within that period against
Joseph D. Thornton, William L. Rhinehart, James H. Harper.

Certified by
S. B. HOPPER,
Pro Proth'y.

{ SEAL }

A certain square of ground situate in the Twenty-eighth Ward of the City of Philadelphia. Bounded by Eleventh, Twelfth and Huntingdon Streets and Lehigh Avenue, including therein Jessup, Sartain and Oakdale Streets.

EDWIN T. COXE.

On examining the Locality Indices of the Courts of Common Pleas and late District Court, I find nothtng against the above described premises since January 1st, 1883.

{ SEAL }

S. B. VANDUSEN,
Pro Proth'y.

May 19, 1883.

On Examining the Register of Unpaid Taxes for the City of Philadelphia, for the years 1878 to 1882, inclusive, I find nothing against the above described premises, except as per bill for 1882.

{ SEAL }

W. M. NEISSER,
Chief Search Clerk.

May 24, 1883.

Bill certified for 1882 is against a Lot of Ground situate at the South-west corner of Eleventh Street and Lehigh

Avenue, 80 feet front on Lehigh Avenue and 120 feet deep on Eleventh Street.

W. M. NEISSER,

May 26, 1883. *C. S. C.*

A certain square of ground situate in the Twenty-eighth Ward of the City of Philadelphia. Bounded by Eleventh, Twelfth and Huntingdon Streets and Lehigh Avenue, including therein, Jessup, Sartain and Oakdale Streets.

EDWIN T. COXE.

On searching the Indices of Claims in the City Solicitor's Office, I find nothing against the premises as above described.

ROBT. T. CORSON,

May 29, 1883. *Ass't Solicitor.*

A certain square of ground situate in the Twenty-eighth Ward of the City of Philadelphia. Bounded by Eleventh, Twelfth and Huntingdon Streets and Lehigh Avenue, including therein, Jessup, Sartain and Oakdale Streets.

Certify any unsatisfied Mortgage or Mortgages of the above described premises or any part thereof or of any Yearly Ground Rent issuing thereout by

Joseph D. Thornton, since December 1, 1882.

William L. Rhinehart, from Feb. 1, 1883 to May 1, 1883.

James H. Harper, since February 1, 1883.

EDWIN T. COXE.

To The R. E. T. I. and T. Co. of Phila.

No. 24911.

THE REAL ESTATE TITLE INSURANCE AND TRUST COMPANY OF PHILADELPHIA, hereby certifies that there is no Unsatisfied Mortgage on record, of the above described premises, or any part thereof, or of any Yearly Ground Ground Rent issuing thereout, given by either of the Three (3) persons above named and recorded within the periods specified, except one as per schedule below.

Witness the Seal of the said Company, the Nineteenth day of May, A. D., 1883.

{ SEAL }

JOHN B. HENKELS,
Clerk.

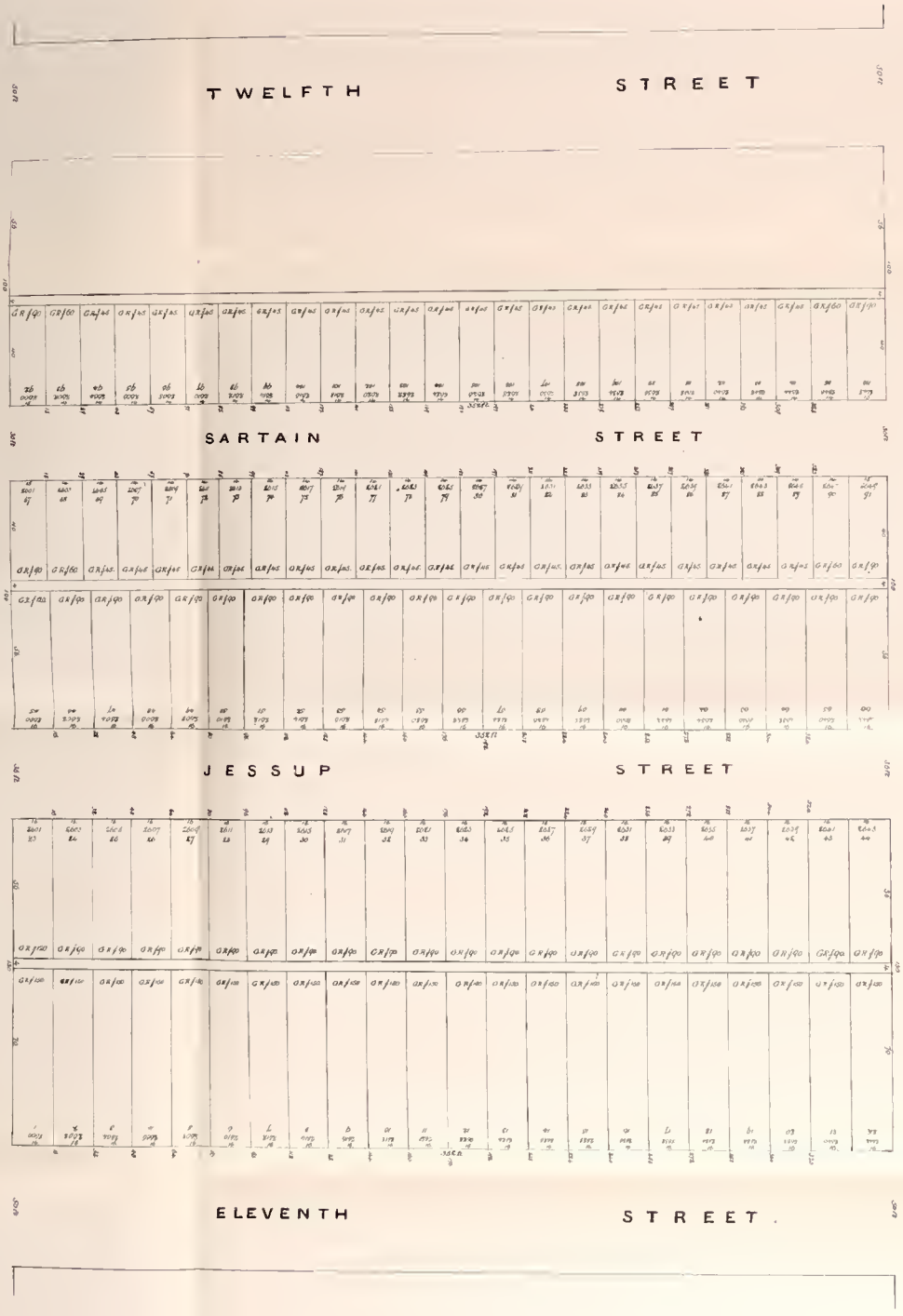
Jan'y 22, 1883, Jos. D. Thornton, to Pierce Archer, et al, $28,000, Recorded Jan'y 31, 1883, J. O'D 78, page 37.

By Release dated March 8, 1883, recorded, March 9, 1883, in Release of Mortgage Book No. 5, page 279, &c., two large lots of ground which include the lots numbered on Plan from 45 to 116, inclusive, were released from the lien and operation of the above certified Mortgage given by Joseph D. Thornton to Pierce Archer, et al, for $28,000.

EDWIN T. COXE,
T. ELLWOOD POTTS.

The above Mortgage does not include that part of the Premises in question bounded East by Eleventh Street, West by Jessup Street, South by Huntingdon Street, and North by Oakdale Street.

E. T. C.


TWELFTH STREET
SARTAIN STREET
JESSUP STREET
ELEVENTH STREET
HUNTINGDON STREET
OAKDALE STREET

140
4

Brief of Title

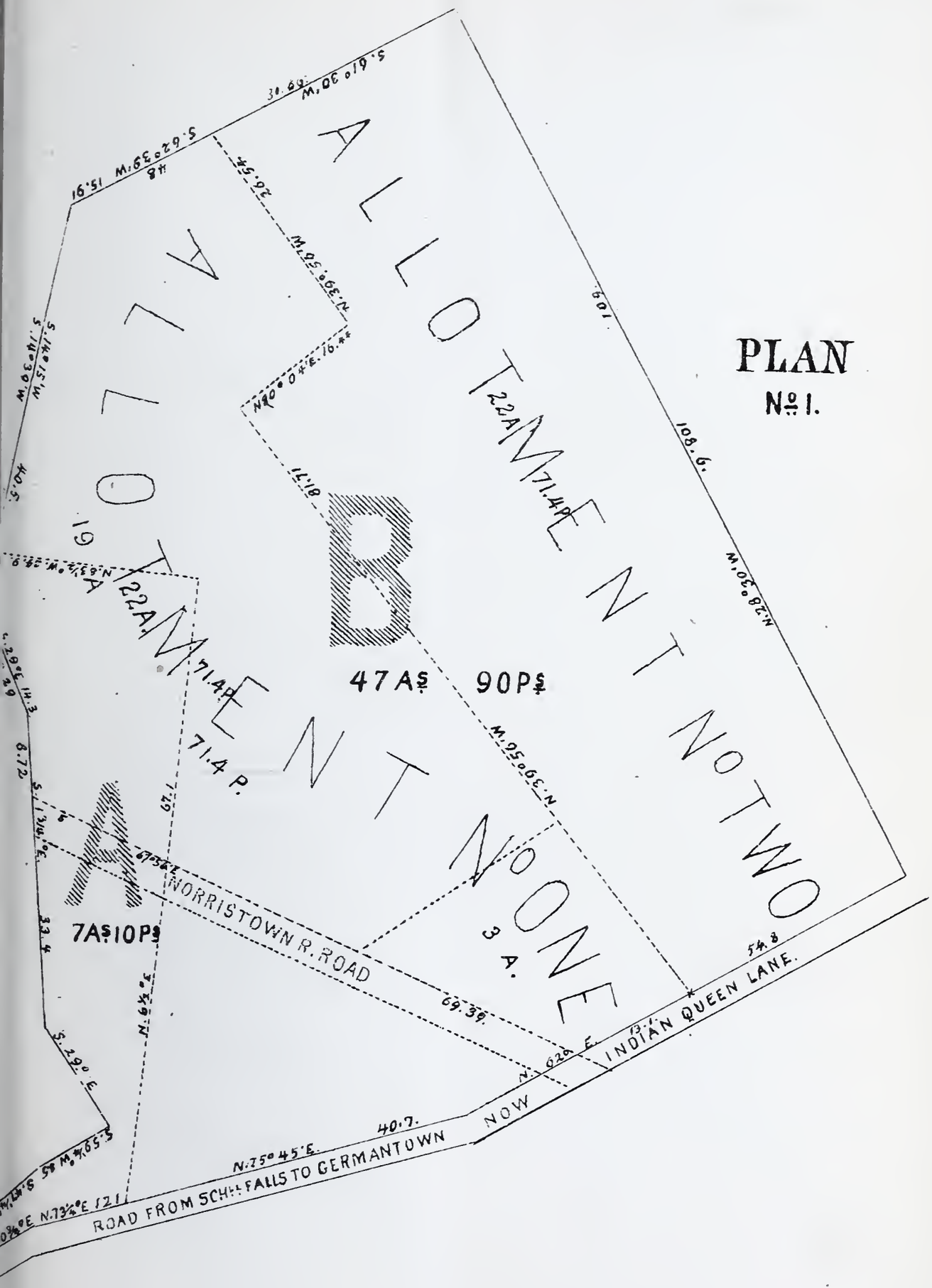
TO

ACRES, 142.8 PERCHES OF LAND,

AT

SCHUYLKILL FALLS, 28th WARD,

PHILADELPHIA.


PLAN
No. 1.
ALLOTMENT NOTWO
22A. 71.4P.
B
47A$ 90P$
ALLOTMENT NONE
22A. 71.4P.
71.4 P.
3 A.
7A$ 10P$
NORRISTOWN R. ROAD
INDIAN QUEEN LANE.
ROAD FROM SCHU FALLS TO GERMANTOWN NOW
S. 61° 30' W. 30.69
S. 62° 39' W. 15.91
S. 14° 15' W. 30.5
N. 39° 55' W. 26.54
N. 40° 0' E. 16.**
N. 28° 30' W. 108.6.
N. 39° 55' W.
N. 63½° W. 39.9
S. 29° E. 14.3
8.72
S. 13¼° E.
7.6
S. 29° E.
33.4
S. 59° W. 65.3
N. 73½° E. 121
N. 75° 45' E.
40.7.
N. 62° E.
69.39.
54.8
13.

PLAN
No 2

34TH ST.

S. 62° 39' E. 31.66

606.2 1/2

47.57

15.92.

S. 39° 55' E. 26.54

N. 44° 30' W. 716.0 1/4

S. 14° 30' W. 40.75

50

44.91

N. 40° 05' E.

S. T.

MARMION

THIRTY-FIFTH ST.

S. T.

A V.

108.6

N. 810 22' W.

R. E. D

100

184.

B. R. M.

324

K v B.

1442

QUEEN

260

L. S.

130.

K v B.

J. R. R

100

80.

H. B.

W. B. T.

50

50

50

50

50

50

50

50

50

50

50

100

W. W.

182.2

J. C

147. 6 7/8

117. 6 7/8

113. 3 1/8

64. 4 5/8

W. B. T.

H. B.

W. B. T.

FAIRVIEW

W. B. T.

H. B.

W. B. T.

W. B. T.

265.

K v B.

171. 9 1/4

W. B. M.

W. B. T.

SUNNYSIDE

415. 5 7/8.

PARALLEL WITH BOWMAN ST. 423. 7 1/4

D. B. R.

C. M.

J. W.

W. S.

83.6

40

120

165.

438. 8 3/4

60

S. 39° 55' E. 240

55.13.

S. T.

S. T.

S. T.

S. 67° 56' E PHILA. AND NORRISTOWN R. R.

449. 5 1/4

64.39

N. 61° 13' E

66

S. 1° 20' E.

S. 0° 35' E. 1429

35.0 1/2

39.0 1/8

34 11 1/4

73.8 1/4

S. 33° 37'

S. 29° 0' E 12.97.5

THIRTY SIXTH ST

BOWMAN

QUEEN

35. 19.

N. 76° 35' E.

18.87

INDIAN

S. 7° 26' E 7.06

N. 73° 0' E.

M. 55° 09' S 20.8 M. 9065.5

397.5.

54.62.

LANE

207.1/4

40

B. R. M.

H. E

E. G

H. E

R. L.

W. S

70

55

40

4.0

40

102.4 1/2

9.6

216.8 1/8

140

Brief of Title

TO

TRACT OF LAND IN THE TWENTY-EIGHTH WARD OF THE CITY OF PHILADELPHIA, SITUATE ON THE NORTHEASTERLY SIDE OF THE PHILADELPHIA AND NORRISTOWN RAILROAD, AND NORTHWESTERLY SIDE OF INDIAN QUEEN LANE, CONTAINING 44 ACRES 142.8 PERCHES, AS LAID ON PLAN No. 1.

1701. February 20th. Ex'd record.

PATENT.—William Penn, Proprietary, etc., to Catharine E. Shultz, Van de Wallen, widow, Johannes Kembler, Balthazar Jawert, ohan W. Peterson, Gerhard Van Mastricht, Johan Le Brün, Maria Van e Willich, Daniel Falkner, Arnold Stock, and George Miller, in fee for tract of land in Philadelphia County, on the river Schuylkill, containg 22,377 acres.

Recorded ninth month 11th, 1701, in patent-book A 2, page 150, etc., nd in Exemplification Record, No. 1, page 345, etc.

1700. January 24th. Ex'd record.

LETTER OF ATTORNEY.—Catharine E. Shultz, and others, conituting Daniel Faulkner and Johannes Jawert, their attorneys in fact, o sell and convey all their lands in Pennsylvania.

The above lands had been surveyed to Catharine E. Shultz and others, rior to the date of this letter of attorney.

The patent was obtained by the attorneys.

Recorded in Exemp. Record, No. 4, page 685, etc.

1702. November 22d. Ex'd record.

DEED.—Catharine E. Shultz and others, by their said attorneys in act, to Andrew Robeson in fee, for a tract of land situate within the Liberties of Philadelphia, beginning at a post on the Schuylkill River ear a marked Spanish oak, and extending thence, E. N. E., by Mill and and Benjamin Morgan's land, 244 perches to a post, thence S. S. E., 22 perches, to a chestnut tree, thence S. W. by W. $\frac{1}{4}$ W., 194 perches,

to a post by said river, and up the same 62¼ perches to the place beginning, containing 50 acres.

Acknowledged September 9th, 1703; recorded February 6th, 1749–5 in deed-book G, No. 11, page 637, etc.

4. 1708. December 16th. Ex'd record.

DEED.—Daniel Falkner to John Henry Sprogel in fee for, inter ali a tract of land in the Liberties aforesaid, beginning at a corner stake the line of Benjamin Morgan's land, and extending thence, by the san and land of Wissahiccon Mill, W. S. W., 244 perches, to the riv Schuylkill, thence by the same 124½ perches, thence E. N. E. 1 perches, N. N. W. 80 perches, to the place of beginning, containi 100 acres. Excepting thereout the aforesaid 50 acres.

Acknowledged January 20th, 1708, recorded same day in deed-boo E 4, vol. 7, page 258, etc.

5. 1709. August 6th. Ex'd record.

DEED.—John Henry Sprogel to Thomas Tresse, in fee for, inter ali the tract of 50 acres of land embraced in that last above described.

Proved by subscribing witness, and recorded August 11th, 1709, deed-book E 5, vol. 7, page 325, etc.

6. 1714. April 30th. Ex'd record.

WILL of Thomas Tresse, authorizing his executor, Joshua Tresse, sell and dispose of any or all of his estate to carry out the uses and pu poses of his will.

Proved and registered at Philadelphia, June 1st, 1714, will-book page 3, etc.

7. 1719. November 9th. Ex'd record.

DEED.—Joshua Tresse, executor, etc., to Hugh Tresse, in fee f same.

Proved and recorded March 13th, 1719, deed-book F 2, page 143, e

8. 1720. April 13th and 14th. Ex'd record. See Charles Tresse to Rud man Robeson. Recital No. 31.

LEASE AND RELEASE.—Mary Tresse, widow of Hugh, to Thom Tresse, in fee for same.

Proved November 14th; recorded December 9th, 1767, in deed-boo I 3, page 306, etc.

9. 1725. September 3d and 4th. Ex'd record.

LEASE AND RELEASE.—Thomas Tresse to Charles Read a John Ashton, in fee for same.

Proved May 17th, recorded May 27th, 1768, in deed-book I 3, pa 472, etc.

). **1728. June 6th and 7th. Ex'd record.**

LEASE AND RELEASE.—Charles Read and John Ashton to Andrew Robeson, in fee for same.

Proved January 31st, 1749; recorded February 5th, 1749–50, in deed-book G, No. 11, page 635, etc.

. **1681. August 1st and 2d.**

LEASE AND RELEASE.—William Penn, Proprietary, etc., to John lark in fee, for 500 acres of land in the Province of Pennsylvania.

Recited in deed from Reese Thomas to Israel Pemberton (No. 14).

2. **1713. May 4th and 5th.**

LEASE AND RELEASE.—John Clark, son and heir of the above-amed John Clark, to Reese Thomas, in fee for same.

Recited as above.

3.

By virtue of a warrant of survey, dated the 26th of second month, 716, there was surveyed and laid out to Reese Thomas, in right of said ohn Clark's purchase, a certain City lot and 8 acres of Liberty land.

Recited in next deed.

4. **1716. September 29th. Ex'd record.**

DEED.—Reese Thomas to Israel Pemberton in fee, for said 8 acres f Liberty land.

Proved July 21st, recorded July 24th, 1740, in deed-book G 2, page 46, etc.

5. **1723. September 26th. Ex'd record.**

DEED.—Israel Pemberton to James Logan, in fee for same, reciting hat said land had been purchased with the moneys of said Logan.

Acknowledged July 19th, 1740; recorded July 24th, 1740, in deed-book G 2, page 248, etc.

6. **1723. October 4th. Ex'd record.**

DEED.—Israel Pemberton to Thomas Shute, in fee for same.

Proved February 14th, recorded February 18th, 1760, in deed-book H, No. 10, page 388, etc.

7. **1726. September 22d. Ex'd record. See William Logan et al. to Robeson and Smith, Recital No. 35.**

LEASE AND RELEASE.—Thomas Shute and wife, to Andrew Robeson, in fee for same, described as follows, viz., beginning at a corner of Charles Read's land, by the river Scuylkill, and extending thence by said land, E. N. E., 52 perches, to a corner post, thence S. S. E. by vacant land, 34 perches, by William Palmer's land, W. *N.* W., 26 perches,

to said river, and up the same N. 58° W., 43 perches, to the place beginning.

Proved February 14th, recorded February 19th, 1760, in deed-boo H, No. 10, page 390, etc.

18. 1725. May 25th.

The commissioners of property, by their warrant, required the Surveyo General to lay out and survey to Morris Morris, the Liberty land belon ing to 500 acres of land purchased of William Penn by John Clare.

Recited in deed Steel to Robeson, (No. 21).

19. 1725. August 10th.

DEED.—Morris Morris to James Steel in fee for, inter alia, said Lib erty land.

Recited as above.

20. 1729. April 1st.

There was surveyed and laid out for James Steel, a certain piece land in the Liberties of the city aforesaid, beginning at a small hicko sapling in a line of William Palmer's land, and corner of Andrew Rob son's land and extending thence, by said Robeson, N. N. W., 34 perche thence E. N. E., 19 perches, thence S. S. E., 34 perches, and then W. S. W., 19 perches, to the place of beginning, containing 4 acres. Al another piece beginning at a sapling about 2 perches, S. S. E., from a co ner of Andrew Robeson's land, thence by the same, W. N. W., 3 perches, thence E. N. E., 20 perches, and thence by land of Marcus Ga rettson, S. S. E., 32 perches, and thence W. S. W., 20 perches, to th place of beginning, containing 4 acres.

Recited in next deed.

21. 1729. May 14th and 15th. Ex'd record.

LEASE AND RELEASE.—James Steele and wife to Andrew Rob son, in fee for said two pieces of land.

Proved February 14th, recorded February 18th, 1760, in deed-boo H, vol. 10, page 385, etc.

22. 1681. October 22d and 23d. Ex'd record.

LEASE AND RELEASE.—William Penn, Proprietary, etc., to Wi liam Lowther and Margaret his wife, in fee, for 5000 acres of land in th Province of Pennsylvania.

Recorded in deed-book G, vol. 2, page 109, etc.

23. 1731. September 24th. Ex'd record.

LEASE AND RELEASE.—John Nicholl and Margaret his wife (th said Margaret being the only daughter and heiress of the said Margar

Lowther, who survived her husband) to Joseph Stannix, in fee for same, nd the City lot and Liberty land appurtenant thereto.

Recorded in deed-book G, vol. 2, page 114, etc.

4. 1731. January 13th and 14th. Ex'd record.

LEASE AND RELEASE.—Joseph Stannix to John Simpson, in fee or same.

Recorded August 6th, 1739, in deed-book G, vol. 2, page 117, etc.

5. 1733. December 31st.

Under warrant from the Proprietary, a survey was made to John Simpson of a tract of land within the Liberties of the City of Philadelhia, appurtenant to said 5000 acres, beginning at a post in line of William Palmer's land, and extending thence by the same N. 65° E., 53.3 erches, thence by land of Marcus Garrettson, N. 25° W., 30 perches, hence by land of Andrew Robeson, S. 65° W., 53.3 perches, and thence . 25° E., 30 perches, to the place of beginning, containing 10 acres.

Recited in deed Nicholas Scull to Andrew Robeson (No. 28).

6. 1737. March 9th. Ex'd record.

RELEASE.—John Simpson to William Allen, in fee for same.

Acknowledged February 9th, 1738; recorded August 7th, 1739, in eed-book G, vol. 2, page 120, etc.

7. 1743. October 19th.

RELEASE.—William Allen to Nicholas Scull, in fee for same.

Recited in next deed.

8. 1743. November 2d. Ex'd record.

DEED.—Nicholas Scull and wife to Andrew Robeson, in fee for ame.

Acknowledged November 5th, 1743; recorded February 18th, 1760, n deed-book H, vol. 10, page 382, etc.

9.

Andrew Robeson died intestate, leaving surviving him three children, iz., Andrew, Rudeman, and Elizabeth. Andrew, the son, also died intesate and without issue, before any division had been made of his father's state, whereupon said premises vested in his surviving brother Rudeman nd sister Elizabeth; two-thirds in Rudeman, and one-third in Elizabeth.

0. 1748. November 24th. Ex'd record.

DEED.—Elizabeth Robeson to Rudeman Robeson, in fee for her one ndivided third part of and in, inter alia, said several pieces of land.

Proved February 15th, recorded February 16th, 1762, in deed-book I, vol. 15, page 289, etc.

31. 1760. June 28th. Ex'd record.

DEED.—Charles Tresse, surviving issue and heir at law of Hugh Tresse, deceased, to Rudeman Robeson in fee, releasing and confirming to him the 50 acres granted to Thomas Tresse by lease and release dated April 13th and 14th, 1720. (See Recital No. 8.)

Acknowledged August 11th, 1760; recorded December 21st, 1761, in deed-book H, vol. 15, page 175, etc.

32. 1761. April 27th. Ex'd record.

DEED.—Rudeman Robeson to William Smith in fee for a tract of land (composed of portions of the foregoing tracts), beginning at the river Schuylkill above the Falls, and by a ferry called the Falls Ferry, at a stone for a corner in the line between lands of Robeson and George Palmer, and extending thence along said line, crossing the Wissahiccon Road, N. 65° E. 84 perches, thence by another road leading from said ferry to Germantown N. 65° E., 52 perches farther, to a stone on the north side of said road in the line of Marcus Garrett's land by the same, N. 25° W., 55 perches thence by lands of said Robeson, S. 49° W., 94½ perches, thence S. S. E. about 24 perches, to the southerly side of said road, thence by the same S. 84° W., ¼ of a perch, thence S. 72° W., 15 perches, thence S. 63° W. 14¼ perches, S. 51° W., about 13 perches, to and across the Wissahiccon Road to a long flat rock on the lower side thereof, marked for a corner thence S. W. 10 perches, to a stone on the river bank, and thence down said river 4 perches to the place of beginning, containing, exclusive of said two roads, about 26 acres. With covenant as follows, viz., "And "the said Rudeman Robeson, for himself, his heirs, executors, and "administrators, doth covenant and agree with the said William Smith "his heirs, executors, administrators, and assigns, that if the said William "Smith, his heirs or assigns, can, by any means or device whatever, raise "and conduct any part or stream of the waters passing through the upper "parts of the aforesaid premises, so high and in such a manner as to render the same useful in watering or ornamenting the gardens or any "other parts of the lands of the said William Smith adjoining the premises "aforesaid, he, the said William Smith, his heirs and assigns, shall have "full right, liberty, and privilege so to do, without any let, molestation "or hinderance from the said Rudeman Robeson, his executors or administrators, any claim, right, usage, or custom which he, they, or any "them have or may have had to the use and current of such parts "the waters aforesaid notwithstanding."

Proved May 28th, recorded June 28th, 1768, in deed-book I, No. page 360, etc.

3. 1761. September 9th. Ex'd record.

DEED.—Rudeman Robeson to William Smith in fee, for part of said oregoing tracts, beginning at a stone a corner of said William Smith's ther land, and in the line of Marcus Garrett's land, and extending thence, y said Garrett's land, N. 25° W., 53 perches, to a stake, thence S. 65° V., 45 perches, to a stone in the line of said Robeson's land, thence by the ame S. 16° W., 47 perches, thence S. 26½° E., 14 perches, S. 1° W., 3.4 perches, to a corner stone of William Smith's land, and thence N. 9° E., 96 perches, to the place of beginning, containing 29½ acres.

Proved August 25th, recorded August 27th, 1767, in L. of A. book,) 2, vol. 6, page 385, etc. Exemplification record, No. 4, page 480, etc.

4. 1767. June 8th. Ex'd record.

RECEIPT.—Edward Robeson, residuary devisee under and executor f the will of Rudeman Robeson, deceased, to William Smith, for seven ounds thirteen shillings nine pence, being the full balance of the con- ideration-money due upon his bond to the estate of Rudeman Robeson or the above-described two tracts of 29½ acres and 26 acres respectively. Releasing and confirming to him said two tracts in fee, with the appur- enances, but especially the privilege granted in the deed from Rudeman Robeson for the tract of 26 acres.

Acknowledged August 24th, 1767; recorded 27th of same month, in Exemplification record, No. 4, page 482, etc.

5. 1767. October 16th. Ex'd record.

DEED.—William Logan and wife, James Logan and wife, Mary and arah Norris, and John Smith, they being all the heirs and legal repre- entatives of James Logan, deceased, to Edward Robeson and William mith, in fee, confirming to them the 8 acres conveyed by Thomas Shute y lease and release, dated September 26th, 1726. (See Recital No. 17.)

Acknowledged October 16th, 17th, and 19th, 1767; recorded June 9th, 1769, in deed-book I, No. 6, page 312, etc.

6. 1783. May 15th. Ex'd record.

DEED.—William Smith and wife to Williamina Elizabeth Smith upon her intermarriage with Charles Goldsborough) in fee for, inter alia, small tract of 8 acres at the Falls of Schuylkill, bounded westerly by road leading from the Falls to Germantown, and by lands of General Mifflin, and northerly and easterly by other lands of William R. Smith, nd southerly by a lane leading from the Germantown Road to a sum- mer-house of said William R. Smith, called the Hexagon.

Acknowledged September 4th, 1783; recorded April 30th, 1805, in eed-book E F, No. 20, page 211, etc.

37.

The said Williamina E. Goldsborough died in September, 1790, intes tate, leaving surviving her four children, viz., Robert, William S., Sarah Y. (afterwards intermarried with Charles Goldsborough), and an infan daughter, Williamina, who died shortly after her mother.

38. 1811. November 7th. Ex'd record.

DEED.—Robert Goldsborough and wife, William S. Goldsborough and Charles Goldsborough, and Sarah Y., his wife, to Robert Kennedy, in fee for part of said 8 acres, beginning at the intersection of the road t Germantown with (late) General Mifflin's land, and extending thence b the northerly side of said road, N. $60\frac{3}{4}°$ E., 8 perches, and N. $73\frac{1}{4}°$ E. 12.1 perches, thence N. $6\frac{1}{2}°$ E., 67.1 perches, to a marked gum tree, thenc N. $83\frac{1}{2}°$ W., 24.9 perches, S. $14\frac{1}{4}°$ W., 6.3 perches, S. 29° E., 14.3 perches S. $1\frac{3}{4}°$ E., 33.4 perches, S. 29° E., 12.3 perches, S. 59° 10′ W., 8.5 perches S. $47\frac{1}{4}°$ W., 12 perches, and S. 24° E., 2.6 perches, to the place of begin ning, containing 7 acres 10 perches. Being the lot marked A on th plan No. 1 at the beginning of this brief.

Acknowledged same day; recorded March 13th, 1813, in deed-boo I. C., No. 24, page 112, etc.

39. 1812. July 30th. Ex'd record.

DEED.—Robert Kennedy and wife to William Moore Smith in fe for same.

Acknowledged next day; recorded March 13th, 1813, in deed-book I C., No. 24, page 108, etc.

40. 1818. August 8th. Ex'd record.

WILL of William Moore Smith, giving and devising to his son, Samu Weymess Smith in fee, inter alia, "All my estate at the Falls of Schuy "kill, formerly the principal residence of my revered and deceased fathe "which I purchased from his executors: reserving thereout a certai "burial lot and mausoleum; also that other estate adjoining the last d "scribed, which my said father conveyed to his daughter, Williamina I "Smith (since deceased), previous to her marriage with the late Charl "Goldsborough, Esq., and sold by her heirs to Mr. Kennedy, from who "I purchased the same," charging said premises with the payment of on third part of the annual rents, issues, and profits to his wife, since d ceased, during her life.

41. 1819. January 7th. Ex'd record.

CODICIL to said will, reciting the death of said Samuel Weyme Smith, and giving and devising to testator's son Richard, in fee, all h estate which was intended for his deceased brother, charged as aforesaid

Proved March 28th, 1821, and registered at Philadelphia, will-book No. 7, page 278.

2. 1801. April 16th. Ex'd record.

DEED.—William Smith to Robert Kennedy, his heirs and assigns, for, inter alia, upon the conditions and under the restrictions therein set forth, the full and perfect right and liberty to have, take, and use, certain water off the land of said William Smith, and to enter upon the same to repair pipes, etc.

Acknowledged same, recorded next day in deed-book E. F., No. 8, page 1, etc.

3. 1802. July 14th. Ex'd record.

WILL of William Smith, authorizing and empowering his executors, Thomas Smith, Jasper Yeates, William White, D.D., and Benjamin R. Morgan, in case his personal estate was not sufficient to pay his debts, to sell and convey in fee simple, for that purpose, any part of his real estate, and devising all the residue of his estate to his four children, viz., William Moore Smith, Charles, Richard, and Rebecca Smith, and the representatives of Williamina.

4. 1803. February 3d.

CODICIL to said will revoking the appointment of Thomas Smith, Jasper Yeates, and William White, D.D., and substituting William Moore Smith, Charles Smith, and Richard Smith as executors.

Proved June 8th, 1803; registered at Philadelphia, in will-book No. 1, page 109, etc.

5. 1822. January. Ex'd record.

DEED.—Charles Smith, Richard Smith, and Benjamin R. Morgan, surviving executors of William Smith, deceased, to Richard Penn Smith in fee for, inter alia, a lot of ground beginning at a post on the west side of the road leading to Germantown, a corner of Williamina Goldsborough's land, and extending thence by said road, N. 75° 45′ E., 40.7 perches, and N. 62° E., 54.8 perches, to a marble stone, thence N. 28° 30′ W., 109 perches, to a stone, thence S. 61° 30′ W., 48 perches, to a stone, thence S. 14° 15′ W., 40.5 perches, to a corner of William Goldsborough's land, thence by the same, S. 83° 30′ E., 24.9 perches, thence S. 6½° W., 67.1 perches, to the place of beginning, containing 47 acres 90 perches. Being the lot marked B on the plan No. 1 at the beginning of this brief.

Acknowledged January 15th and 24th, and February 15th, 1823; recorded March 5th, 1823, in deed-book I. H., No. 6, page 345, etc.

46. 1853. October 29th. Ex'd record.

WILL of Richard Penn Smith giving, inter alia, to his executor therein named, Thomas D. Smith, full power and authority, for the purposes of his will, to grant, bargain, or sell all or any part of his real estate, either at public or private sale, as might be most expedient, either in fee simple or on ground-rent, and to execute and deliver good and sufficient conveyance for the same, and directing the proceeds of such sales to be invested in such securities as are designated by law for investments of trust funds, or in such manner as the court might direct.

Proved August 17th, 1854; registered at Philadelphia, will-book No. 32, page 159.

47. 1856. January 30th. Produced.

DEED.—Thomas D. Smith, executor, etc., to Matthew McEwen, in fee for said lots marked A and B on the aforesaid plan. Subject to the water right granted by William Smith to Robert Kennedy, and to all the expenses which may from time to time be necessary to repair the same, containing together 54 acres 100 perches.

Acknowledged same day; recorded June 30th, 1856, in deed-book R. D. W., No. 87, page 190, etc.

48. 1856. January 30th. Produced.

DEED.—Isabella S. Smith, widow of Richard Penn Smith, to Matthew H. McEwen, his heirs and assigns, releasing all her dower and interest in the same.

Acknowledged same day; recorded June 30th, 1856, in deed-book R. D. W., No. 87, page 197, etc.

49. 1856. June 26th. Produced.

DEED.—Matthew H. McEwen and wife to Camille D'Invilliers, in fee for same.

Acknowledged next day; recorded June 30th, 1856, in deed-book R. D. W., No. 87, page 198, etc.

50. 1856. June 26th. Ex'd record.

DECLARATION OF TRUST by Camille D'Invilliers, acknowledging and declaring that the moneys paid for the purchase and conveyance of the said premises, were contributed in equal shares by himself Charles E. D'Invilliers, Matthew H. McEwen, and Stephen B. Linnard and that the title of said premises was conveyed to him upon the mutual understanding and agreement of all parties so interested in said purchase, that he should hold said real estate upon the trust therein set forth, as follows, viz.: "In trust to sell and dispose of the same in part "or altogether, at public or private sale, with or without the reservation "of a ground-rent or ground-rents, in such manner, upon such terms

'for such prices, and upon such terms of payment as may be consented 'to or agreed upon by any two or more of the four parties above desig- 'nated, or their legal representatives, and to make, execute, acknowledge, 'and deliver good and sufficient deeds, conveyances, and assurances to 'vest the title thereof, in the purchaser or purchasers, in fee simple or 'for any lesser estate, free, clear, and discharged of all trusts hereby de- 'clared, and without liability on the part of such purchaser or purchasers 'to see to the application of the purchase-money; the consent of such 'parties or their assigns to appear by their signatures to the deed or deeds 'conveying the same, either as grantors or as witnesses to the sealing and 'delivery thereof; and in trust further, to distribute and divide the net 'proceeds thereof in equal fourth parts or shares to and among the four 'parties above named, their several and respective executors, adminis- 'trators, and assigns." (Here follows a proviso with regard to a mort- gage of the premises for $24,000, which has since been satisfied of record.) 'And it is furthermore provided and declared, that if any one or more 'of the said four parties above named, or their assigns, shall die before 'the sales of the aforesaid premises shall be completed, then and in that 'case the consent of the executors or administrators of such decedent, 'manifested in like manner as above provided, shall be as valid and 'effectual as if given by such decedent in person."

Acknowledged November 9th, recorded November 21st, 1857, in deed- book R. D. W., No. 153, page 436, etc.

51. 1857. November 1st. Ex'd record.

ASSIGNMENT.—Stephen B. Linnard to William H. Richards, Jr., of all his right, title, and interest mentioned and declared in and by the above declaration of trust.

Acknowledged 13th same month; recorded September 19th, 1860, in deed-book A. D. B., No. 131, page 541, etc.

52. 1858. October 1st. Ex'd record.

ASSIGNMENT.—Charles W. Funk, administrator, etc., of William H. Richards, Jr., to Charles F. Abbot, of same.

Acknowledged 25th of same month; recorded September 19th, 1860, in deed-book A. D. B., No. 131, page 543, etc.

53. 1857. April 3d. Ex'd record.

ASSIGNMENT.—Matthew H. McEwen to Ellwood R. Norny of all his right, title, and interest as above.

Acknowledged November 10th, 1857; recorded September 19th, 1860, in deed-book A. D. B., No. 131, page 494.

54. 1857. July 6th. Ex'd record.

ASSIGNMENT.—Ellwood R. Norny to Ishi Craven of same.

Acknowledged November 10th, 1857; recorded September 19th, 1860, in deed-book A. D. B., No. 131, page 496, etc.

55. 1858. May 3d. Ex'd record.

ASSIGNMENT.—Ishi Craven to David Davis, Sr., of same.

Acknowledged 8th of same month; recorded September 19th, 1860, in deed-book A. D. B., No. 131, page 496, etc.

56. 1858. May 3d. Ex'd record.

RELEASE.—David Davis, Jr., to David Davis, Sr., remising and releasing all his estate, title, and interest, if any he had in said premises and all his share and portion of any moneys arising from the sale thereof.

Acknowledged 8th of same month; recorded September 19th, 1860, in deed-book A. D. B., No. 131, page 497, etc.

57. 1860. September 17th. Produced.

DEED.—Camille and Charles E. D'Invilliers, David Davis, Sr., and Charles F. Abbot to Edward L. Bodin, his heirs and assigns, for two adjoining tracts of land (portions of A and B), designated therein as "Allotment No. 1," beginning at the intersection of the northerly side of the Philadelphia and Norristown Railroad, and northwesterly side of Indian Queen Lane, and extending thence along said railroad, N. 67° 56′ W. 69.39 perches, thence N. 1° 20′ W., 8.72 perches, thence N. 28° 35′ W. 14.29 perches, thence N. 14° 39′ E., 46.75 perches, thence N. 62° 39′ E. 15.91 perches, to a corner of Allotment No. 2, thence by the same S. 39° 56′ E., 26.54 perches, S. 50° 04′ W., 16.44 perches, and S. 39° 56′ E. 81.71 perches, to the aforesaid side of Indian Queen Lane, and thence by the same S. 61° 13′ W., 13.1 perches, to the place of beginning, containing 22 acres 71.4 perches.

"Allotment No. 2," beginning on the same side of Indian Queen Lane, a corner of Allotment No. 1, and extending thence by the same N. 39° 56′ W., 81.71 perches, N. 50° 04′ E., 16.44 perches, and N. 39° 56′ W., 26.54 perches, thence N. 62° 39′ E., 31.66 perches, S. 28° 18 E., 108.6 perches, to the aforesaid side of Indian Queen Lane, and thence by the same S. 61° 13′ W., 25.94 perches, to the place of beginning containing 22 acres 71.4 perches. Each allotment subject to the payment of one-half of the said mortgage of $24,000. In trust forthwith to reconvey Allotment No. 1 to Camille and Charles E. D'Invilliers, and Allotment No. 2 to David Davis, Sr., and Charles F. Abbot.

Acknowledged same day; recorded 19th of same month, in deed-book A. D. B., No. 131, page 507, etc.

58. 1860. September 17th. Produced.

DEED.—Edward L. Bodin, trustee to David Davis, Sr., and Charles F. Abbot, in fee for Allotment No. 2.

Acknowledged same day; recorded 19th of same month, in deed-book ..D. B., No. 131, page 516, etc.

Opinion of Eli K. Price, Esq.

9.

The parties who claim to be equitably interested in the premises described in the declaration of trust, made by Camille D'Invilliers, on the 6th of June, 1856, namely, Camille D'Invilliers, Charles E. D'Invilers, David Davis, Sr., and Charles F. Abbot, are about to complete a artition of the land and premises described in that declaration of trust hich yet remains unsold.

1st. Are the assignments of the shares, by the original owners of quitable interests, in due form to vest in said David Davis, Sr., and harles F. Abbot the shares they claim?

2d. Should the wives of the several parties join in a deed to convey to ne person, so that the grantee may reconvey the different shares or allotments?

1. I answer the first question affirmatively.

2. I answer the second question negatively, with the exception of the ife of the trustee.

There is only a right in the several persons, other than him, to receive oneys. Their right is not a title to land but a *chose in action.* This ppears from many cases since the leading ones of Craig *v.* Leslie in 3d Wheaton, 563, and Allison *v.* Wilson, 13th Sergeant and Rawle, 330. It otherwise as to the interest of the trustee according to Drysdale's Appeal, 3d Harris, 457.

Note.—If the trustee has the same interest reconveyed to him as e had beneficially before, the joining of his wife is immaterial, for her ower right is the same.

Eli K. Price.

September 18th, 1860.

0.

The premises above designated as Allotment No. 2, were taken in execution, and sold under proceedings in the District Court, on the aforesaid ortgage of $24,000. The following are copies of the docket entries:

Appearance Docket, December Term, 1867, *No.* 1520.

Thomas D. Smith.
Thomas D. Smith, Executor, etc., of Richard Penn Smith, deceased,
vs.
Matthew H. McEwen.

Als. sci. fa. M., '68, 85.

Sci. fa. sur Mortgage, dated January 30th, 1856. Recorded in mortgage-book R. D. W., No. 35, page 390.

Exit. January 27, 1868. Returnable first Monday, February, 1868, "nihil habet."

Appearance Docket, March Term, 1868, *No.* 85.

SAME *vs.* SAME. Lev. fa. M., '68, 750.	Als. sci. fa. sur Mortgage (D, 67, 1520 Exit. February 11, 1868, " nihil habet." Returnable first Monday, March, 186 April 9, 1868, judgment for want of a appearance on two returns of nihil.

Execution Docket, March Term, 1868, *No.* 750.

SAME *vs.* SAME. Sold to Charles F. Abbot for $8600.	Lev. fa. M., '68, 85. R. debt, ... $7946 6 Interest from April, 1867. Attorney, writ, etc, . . 7 (Cr., ... 1 Pro., ... 5 8 Sat., ... 1 Lev., ...

61. 1868. May 23d. Produced. Revenue stamp $9.

DEED.—Peter Lyle, sheriff, to Charles F. Abbot, in fee for sai premises.

Acknowledged same day in open District Court, and entered amon the records thereof, in book No. 67, page 482, etc.

62.

The said premises were afterwards again taken in execution, and sol under proceedings in the District Court. The following are copies of th docket entries:

Appearance Docket, March Term, 1872, *No.* 1920.

THOMAS D. SMITH. THOMAS D. SMITH, Executor, etc., OF RICHARD PENN SMITH, DECEASED, *vs.* CHALES F. ABBOT. Lev. fa. J., '72, 156. This judgment is satisfied: Sheriff Elliott collected all costs. THOMAS D. SMITH, July 3, 1874. for Plaintiff. Attest, July 3, 1874. JAMES W. FLETCHER, pro Prothonotary.	Sci. fa. sur Mortgage, dated May 2 1868. Recorded in mortgage-book J. O., No. 81, page 138. Exit. April 24, 1872. Returnable fi Monday, May, 1872. " Made known." May 20, 1872, judgment for want of appearance. Eo. die dam. ass'd, $8440. 06.

Execution Docket, June Term, 1872, *No.* 156.

SAME *vs.* SAME. "Stayed." Als. Lev. fa. D., 73, 1432.	Lev. fa. M., '72, 1920. R. D., ... $8440 06 Interest from May 20, 1872. Attorney, writ, etc., . . 7 25 Cr., ... 12 Pro., ... 4 81 Sat., ... 12 Lev., ... 75

Execution Docket, December Term, 1873, *No.* 1432.

SAME *vs.* SAME. Sold to Horace Evans for $5000.	Als. Lev. fa. J., 72, 156.

3. **1874. February 14th. Produced.**

DEED.—William Elliott, sheriff, to Horace Evans, in fee for said remises.

Acknowledged same day in open District Court, and entered among e records thereof, in book No. 85, page 36, etc.

64. 1860. September 17th. Produced.

DEED.—Edward L. Bodin trustee, to Camille and Charles E. D'In villiers, in fee for Allotment No. 1.

Acknowledged same day; recorded 19th of same month, in deed-book A. D. B., No. 131, page 513.

65. 1860. February 11th.

WILL of Charles E. D'Invilliers, devising to Camille D'Invilliers an Mary A. D'Invilliers (his wife), the executors therein named, all th residue of his estate, in trust to sell and convey the same or any par thereof, without liability on the part of any purchaser to see to the appl cation of the purchase-money.

Proved July 9th, 1862; registered at Philadelphia, will-book No. 4 page 144, etc.

66. 1869. February 18th. Produced. Revenue stamp, $4.50.

DEED.—Camille D'Invilliers and wife and Camille and Mary A D'Invilliers, executors, etc., to Charles F. Abbot, in fee for a lot of groun beginning at the intersection of the northeasterly side of the Philadelph and Norristown Railroad, and the northwesterly side of Indian Que Lane, as laid on plan No. 2 at the beginning of the brief, and extendi thence by said lane northeastward 216 feet $8\frac{1}{8}$ inches to the middle Thirty-fifth Street, thence along the middle thereof, northwestward 438 fe $8\frac{3}{4}$ inches crossing Bowman Street, thence by other ground of said Camil and Charles E. D'Invilliers, of which this was part, southwestward on a li parallel with said Bowman Street, 423 feet $7\frac{1}{4}$ inches, to the northeaster side of said railroad, and thence by the same, S. 67° 56′ E., 449 feet inches, to the place of beginning, containing three acres. (Being the sout eastern portion of Allotment No. 1.)

Acknowledged same day; recorded May 20th, 1869, in deed-book T. O., No. 243, page 417, etc.

67. 1869. May 17th. Produced. Revenue stamp, $5.

DEED.—Charles F. Abbot and wife, to Elizabeth, wife of James Wi in fee for part of said premises, beginning at the intersection of said ra road and Indian Queen Lane, and extending thence by said lane nort eastward 186 feet $1\frac{1}{4}$ inches to the southwest side of Thirty-fifth Stre thence by the same, northwestward 202 feet $4\frac{1}{4}$ inches to the southea side of Bowman Street, thence by the same southwestward 150 feet, ther

southeastward at right angles thereto 90 feet, thence southwestward 40 feet $3\frac{3}{4}$ inches, thence northwestward at right angles to said Bowman Street, 85 feet, to the southwesterly side thereof, thence by the same, southwestward, about 90 feet to said railroad, and by same, southeastward, to the place of beginning.

Acknowledged same day; recorded 20th of same month, in deed-book J. T. O., No. 243, page 371, etc.

68. 1870. July 26th. Produced. Revenue stamp, $5.

DEED.—James Wild and Elizabeth, his wife, to Charles F. Abbot, in fee for same.

Acknowledged same day; recorded August 2d, 1870, in deed-book J. A. H., No. 65, page 519, etc.

69. 1872. May 28th. Produced.

RELEASE OF DOWER.—Mary A. D'Invilliers, widow of Charles E., to Charles F. Abbot, releasing her dower in said premises.

Acknowledged same day.

70. 1870. June 14th. Produced. Revenue stamp, $20.

DEED.—Camille D'Invilliers and wife, and Camille and Mary A. D'Invilliers, executors, etc., to Charles F. Abbot, in fee for the remaining portion of Allotment No. 1, containing 19 acres 71.4 perches.

Acknowledged same day; recorded July 6th, 1870, in deed-book J. A. H., No. 63, page 98, etc.

71. 1872. May 28th. Produced.

RELEASE OF DOWER.—Mary A. D'Invilliers, widow of Charles E., to Charles F. Abbot, releasing her dower in said premises.

Acknowledged same day; recorded November 7th, 1874, in deed-book F. T. W., No. 168, page 53, etc.

72. 1870. April 1st. Produced. Revenue stamp, 25 cents.

AGREEMENT whereby Charles F. Abbot and wife agreed to convey three-fourth parts of a tract of 32 acres, therein particularly described *literally* (except where figures are substituted for words) *as follows:* "Commencing at a point on the Philadelphia and Norristown Railroad, 'and running N. 1° 20′ W., 33° 37′ 95 rods $9\frac{1}{2}$ perches, thence N. 28° '35′ W., 14° 29′ 234 rods and $6\frac{1}{4}$ perches, thence N. 14° 39′ E., 46° 75′ '776 rods and $\frac{1}{4}$ perch, thence N. 62° 39′ E., 47° 57′ 768 rods and $2\frac{1}{2}$ 'perches, thence in a southerly course along a parallel line drawn 105 feet 'east from Fairview Avenue (provided said line shall not approach nearer 'than 20 feet to the bed of the present water course), to Thirty-fifth Street 'at a stone, thence in an easterly course, along the line of said Thirty-fifth

"Street 235 feet to a corner stone, thence in a southerly course along a "parallel line with Bowman Street to the line of the Philadelphia and "Norristown Railroad, thence in a westerly course, along the line of said "railroad, to the place of beginning," unto Amos E. Griffiths, Edward E. Jones, Thomas F. Shewell, and William Sperry.

Acknowledged August 22d, 1870; recorded December 6th, 1871, in deed-book J. A. H., No. 198, page 122, etc.

73. 1870. July 1st. Produced.

AGREEMENT between the five parties above named and William B. Thomas, whereby the said Thomas was admitted to one-fifth interest as copartner in a lot of "thirty-four acres, more or less" (being the same premises as are described in the agreement last above recited).

Proved October 24th, 1874, by subscribing witness; recorded November 7th, 1874, in deed-book F. T. W., No. 168, page 9, etc.

74. 1872. December 30th. Produced.

RELEASE.—Amos E. Griffiths and wife, Edward E. Jones and wife, Thomas F. Shewell and William Sperry to Charles F. Abbot, in fee, of all their estate and interest under the agreement of April 1st, 1870.

Acknowledged same day; recorded March 10th, 1873, in deed-book F. T. W., No. 34, page 32, etc.

75. 1874. April 24th. Produced.

RELEASE.—William B. Thomas and wife to Charles F. Abbot in fee, of all estate, right, title, interest, property, claim, and demand, whether at law or in equity, which they, or either of them might theretofore have had, or then had, or might, should, or of right ought to have or claim, of, in, to, or out of the premises described in said agreement of April 1st, 1870. Excepting a piece of ground with the messuages thereon erected (see plan No. 2); situate on the southwesterly side of Thirty-fifth Street, 410 feet northwestward from Bowman Street, 240 feet front on Thirty-fifth Street, by 500 feet in depth southwestward, parallel with Bowman Street, containing $2\frac{1}{2}$ acres.

Acknowledged same day; recorded November 7th, 1874, in deed-book F. T. W., No. 168, page 148, etc.

76. 1872. November 5th. Produced.

LETTER OF ATTORNEY.—Elizabeth E. Abbot, wife of Charles F., to Horace Evans, authorizing and empowering him to make, execute and deliver any deed or deeds, conveyance or conveyances of any real estate in which she had or might have any right or claim of thirds or dower.

Acknowledged same day; recorded May 5th, 1873, in letter of attorney-book No. 41, page 221.

77. 1873. May 2d. Ex'd record.

AGREEMENT, whereby Charles F. Abbot and Elizabeth E., his wife (she acting by her attorney in fact, Horace Evans), agreed to convey to Thomas T. Smiley, a lot of ground (comprising portions of lots A and B), beginning at a point on the railroad aforesaid, 185 feet $\frac{3}{8}$ inch from the west line of Bowman Street, and extending thence, N. 49° E., 315 feet $\frac{1}{3}$ inches, N. 28° 38′ E., 80 feet $4\frac{1}{2}$ inches, northeastwardly 30 feet to middle of Thirty-fifth Street, along same westerly 211 feet $11\frac{3}{4}$ inches, thence N. 50° 04′ E., 451 feet $7\frac{3}{8}$ inches, N. 41° 26′ E., 130 feet $6\frac{1}{8}$ inches, N. 28° 18′ W., 307 feet $4\frac{1}{2}$ inches, S. 62° 39′ W., 668 feet $2\frac{1}{2}$ inches, S. 14° 49′ E., 716 feet $\frac{1}{4}$ inch, S. 28° 35′ E., 156 feet $2\frac{1}{4}$ inches, S. 1° 20′ E., 143 feet $10\frac{1}{2}$ inches, to said railroad, and by same easterly to the place of beginning, excepting the premises excepted above in recital No. ~~73~~ 75, and a small triangular lot on the southeast side of Fairview Avenue 500 feet, southwest of Thirty-fifth Street.

Acknowledged same day; recorded May 5th, 1873, in deed-book F. T. W., No. 41, page 453, etc.

78. 1873. December 15th. Produced.

ASSIGNMENT.—Thomas T. Smiley to Edward Gideon, in fee, of said agreement, and all his interest in the premises therein described.

Acknowledged same day, recorded next day in deed-book F. T. W., No. 95, page 306, etc.

79. 1874. June 8th. Produced.

ASSIGNMENT.—Edward Gideon to Charles F. Abbot, in fee for same.

Acknowledged same day; recorded November 7th, 1874, in deed-book F. T. W., No. 168, page 69, etc.

80. 1874. June 6th. Produced.

DEED.—William Elliott, sheriff, to Charles F. Abbot in fee for the 32 acres, described in recital No. 72. Excepting the premises above excepted in recital No. 75.

Taken in execution at the suit of Caspar Benkert, as the previous estate of Edward E. Jones, and sold by virtue of a writ of als. vend. ex. issued out of the District Court, to June Term, 1874, No. 125.

Acknowledged same day in open District Court, and entered among the records thereof in book 85, page 277, etc.

Title

TO

A LOT ON THE SOUTHWEST SIDE OF THIRTY-FIFTH STREET, 410 FEET NORTHWESTWARD FROM BOWMAN STREET, IN THE TWENTY-EIGHTH WARD OF THE CITY OF PHILADELPHIA, CONTAINING IN BREADTH ON SAID THIRTY-FIFTH STREET 240 FEET, AND IN DEPTH SOUTHWESTWARD, PARALLEL WITH SAID BOWMAN STREET, 500 FEET. (*See Fairview Avenue lots on Plan No. 2, at the beginning of the brief.*)

81. 1871. March 11th. Produced. Revenue stamp, $56.

DEED.—Charles F. Abbot and wife, to William B. Thomas in fee for the above-described premises.

Acknowledged same day; recorded June 19th, 1871, in deed-book J. A. H., No. 156, page 297, etc.

82. 1871. March 11th. Produced. Revenue stamp, 35 cents.

DECLARATION OF TRUST.—William B. Thomas to Charles F. Abbot, Amos E. Griffiths, Edward E. Jones, William Sperry, and Thomas F. Shewell, setting forth, acknowledging, and declaring that said premises were held by him in trust for the joint and mutual use and benefit of himself and the other parties above named, to sell and convey the same in whole or in part, as he or they might find purchasers, and pay over the proceeds of such sale or sales, after payment of all indebtedness, to and among himself and the other parties.

Acknowledged March 28th, 1871; recorded August 2d, 1872, in deed-book J. A. H., No. 265, page 125.

83. 1872. March 31st. Produced.

RELEASE.—Charles F. Abbot and wife, Amos E. Griffiths and wife, Edward E. Jones and wife, William Sperry and Thomas F. Shewell, to William B. Thomas, his heirs and assigns, of all their interest under said agreement (No. 72), and the above Declaration of Trust.

Acknowledged August 1st; recorded August 2d, 1872, in deed-book J. A. H., No. 265, page 136, etc.

84. 1873. January 31st. Produced.

DEED.—William B. Thomas and wife, to Hunter Brooke, in fee for

he larger part of the premises above described, with eighteen houses hereon erected, beginning on the southwest side of Thirty-fifth Street, as foresaid, thence by the same, N. W., 240 feet, S. W., 500 feet, S. E., 00 feet, to northwest side of Fairview Avenue, thence by the same, N. E., 00 feet, thence crossing said avenue, S. E., 140 feet, and thence N. E., 00 feet, to the place of beginning.

Acknowledged same day; recorded March 14th, 1873, in deed-book T. T. W., No. 18, page 457, etc.

5. 1873. October 11th. Produced.

DEED.—William R. Leeds, sheriff, to Hunter Brooke, in fee for the premises described at the beginning of this supplement.

Taken in execution at the suit of Caspar Benkert, as the previous estate of Edward E. Jones, and sold by virtue of a writ of vend. ex., issued out of the District Court to June Term, 1873, No. 201.

Acknowledged same day in open District Court, and entered among he records thereof, in book No. 84, page 525, etc.

6. 1874. August 31st. Produced.

DEED.—Hunter Brooke and wife, to William B. Thomas, in fee for he greater portion of the premises, referred to above in recital No. 82, nd thirteen houses thereon erected, beginning as aforesaid, and extending thence by said Thirty-fifth Street, N. W., 240 feet, thence S. W., 50 eet, S. E., 100 feet, to Fairview Avenue by same, S. W., 50 feet, thence N. W., 100 feet, S. W., 150 feet, S. E., 100 feet, to said avenue, by same, S. W., 100 feet, thence N. W., 100 feet, S. W., 150 feet, S. E., 100 feet, o said avenue, by same, N. E., 100 feet, thence S. E., crossing said avenue, 140 feet, N. E., 100 feet, N. W., 100 feet, to said avenue by same, N. E., 100 feet, thence S. E., 100 feet, and N. E., 200 feet, to the place of beginning.

Acknowledged same day; recorded October 28th, 1874, in deed-book T. T. W., No. 164, page 3, etc.

Compiled from the records and papers produced by

P. & E. H. Williamson.

October 15th, 1874.

SYNOPSIS OF SEARCHES.

Certificates of search from March 1st, 1821, to October 16th, 1874, i

Richard Penn Smith,	Mary A. D'Invilliers,	Edward Gideon,
Thomas D. Smith, Exr.,	Amos E. Griffiths,	James Wild,
Matthew H. McEwen,	Edward E. Jones,	Elizabeth Wild,
Camille D'Invilliers,	William Sperry,	Horace Evans,
Charles E. D'Invilliers,	Thomas F. Shewell,	Hunter Brooke,
David Davis, Sr.,	William B. Thomas,	Charles F. Abbot,
	Thomas T. Smiley,	

during their respective periods of interest, produced and examined, dis close as follows, viz.:

MORTGAGES.

No. 1. One by Charles F. Abbot to Horace Evans, May 25th, 1860, for $1200. A lotment No. 2 on plan (mortgage-book J. T. O No. 82, p. 262).

No. 2. One by Charles F. Abbot to C. D'Invilliers and al., June 14th, 1870, f $19,446.25. 19 acres, 71.4 perches of allotment N 1 (mortgage-book J. A. H., No. 37, p. 458). L on S. W. side Thirty-fifth Street, 410 feet N. V from Bowman, 240 feet front by 500 feet deep, r leased. See deed-book J. A. H., No. 114, p. 419.

No. 3. Twelve by Charles F. Abbot to William B. Thomas, each, June 30th, 187 Each for $2500. N. W. side Fairview Avenu 25, 225, 350, 425, 450 feet S. W. of Thirty-fif Street. S. E. side Fairview Avenue, 25, 12 150, 325, 350, 425, 450 feet S. W. of Thirty-fif Street (mortgage-book J. A. H., No. 37, pp. 47 480, 483, 491, 501, 504, 507, 509, 512, 520, 523, 53

No. 4. Four by Charles F. Abbot to Horace Evans, April 1st, 1871, each. Each f $1500. S. E. side Bowman, 70, 90, 150, 170 fe S. W. of Thirty-fifth Street (mortgage-book A. H., No. 113, pp. 367, 370, 372, 375).

No. 5. Two by Charles F. Abbot to Horace Evans, each, April 1st, 1871. Each f $2500. N. W. side Indian Queen Lane, 46 a 71 feet S. W. of Thirty-fifth Street (mortgag book J. A. H., No. 113, pp. 377, 379).

No. 6. One by Charles F. Abbot to Horace Evans, May 12th, 1873, for $8000. L covered by Nos. 1 and 2 (No. 2 released. S deed-book F. T. W., 168, p. 54). Mortgag book F. T. W., No. 56, p. 361.

No. 7. One by Charles F. Abbot to Horace Evans, April 10th, 1874, for $1000. S. V corner Thirty-fifth and Bowman (mortgage-bo F. T. W., No. 135, p. 435).

No. 7*a*. One by Horace Evans to Thos. D. Smith Exr. Feb. 14.1874 for $8500. All ment No 2. Mortgage Book F. T. W. No. 116, pa 536.

o. 8. One by Hunter Brooke to Mary E. Van Artsdalen et al., November 1st, 1873, for $8000. N. W. side Fairview Avenue, 250 and 300 feet S. W. of Thirty-fifth Street (mortgage-book F. T. W., No. 83, p. 557, etc.).

o. 9. One by Hunter Brooke to Thomas Garrigues, October 15th, 1873, for $6000. S. E. side Fairview Avenue, 200 feet S. W. of Thirty-fifth Street (mortgage-book F. T. W., No. 86, p. 532, etc.).

REGISTERED TAXES, None.

JUDGMENTS.

United States Supreme and Quarter Sessions courts, none.

DISTRICT COURT.

Amos E. Griffiths. No. 1. H. K. Smith, D. 70, 379, Thorn, December 27th, 1870, $4265.33. Sci. fa. sur mtge. of premises No. 806 N. Broad Street.

Edward E. Jones. No. 2. J. R. Repplier, D. 70, 1166, Paul, January 21st, 1871, $10,560.23.

No 3. B. F. Hesser, D. 71, 38, D. S. B., December 7th, 1871, R. D., $303.75.

ivested by Sheriff's sale of June 1st, 1874, under No. 5. No. 4. Z. C. Howell, D. 71, 1158, Peterson, January 20th, 1872.

No. 5. Caspar Benkert, S. 72, 1107, Johnson, October 26th, 1872, $158.33.

No. 6. W. B. Thomas, S., 72, 809, D. S. B., November 19th, 1872, $2274.81

Wm. B. Thomas. No. 7. P. McEntee, D. 72, 113, M. L. D., July 7th, 1873, $211.89. Premises at Eighteenth and Master Streets.

Wm. B. Thomas. No. 8. F. McCormick and al., M. 74, 86, D. S. B., March 7th, 1874, $2004.86.

Wm. B. Thomas. No. 9. G. J. Link and al., M. 74, 107, D. S. B., March 7th, 1874, $206.82.

Wm. B. Thomas. No. 10. E. G. Stones and al., M. 74, 108, D. S. B., March 7th, 1874, $359.98.

All restricted to lots in Twenty-fourth ward.

Wm. B. Thomas. No. 11. S. P. Budd, D. 73, 2768, White, March 11th, 1874.

Wm. B. Thomas. No. 12. ~~E. G. Stones and al.~~, D. 73, 2769, White, March 11th, 1874. S. P. Budd

Wm. B. Thomas. No. 13. ~~E. G. Stones and al.~~, D. 73, 2770, White, March 11th, 1874. S. P. Budd

Wm. B. Thomas. No. 14. ~~E. G. Stones and al.~~, D. 73, 2771, White, March 11th, 1874. S. P. Budd

Sci. fas. on claims against lots at Nineteenth and Tioga.

Charles F. Abbot. No. 15. C. C. Phillips, J., 70, 719, D. S. B., August 30th, 1870, $5733.32.

Restricted to two ground-rents on N. W. side Bowman Street.

v. Charles F. Abbot. No. 16. J. Keeley and al., D. 71, 167, M. L. D., January 11th, 1872, $695.35.

v. Charles F. Abbot. No. 17. J. Keeley and al., D. 71, 189, M. L. D., January 15th, 1872, $1366.98.

Lots on Bowman Street and Indian Queen Lane below Thirty-fifth Street.

v. Charles F. Abbot. No. 18. John Borden and al., M. 72, 55, M. L. D., March 22d 1872, 353.93.

Lots on Indian Queen Lane below Thirty-fifth Street

v. Charles F. Abbot. No. 19. H. Evans, J. 72, 68, D. S. B., June 10th, 1872, $9034

Restricted to two lots south of railroad.

v. Charles F. Abbot. No. 20. Fourth National Bank to use, J. 72, 679, Dallas, June 22d, 1872.

Restricted to lot on N. W. side of Marmion Street.

v. Charles F. Abbot. No. 21. B. R. Marley, D. 72, 3, M. L. D., December 2d, 1872 $1028.

Lot on Indian Queen Lane below Thirty-fifth Street.

v. Charles F. Abbot. No. 22. C. D'Invilliers and al., D. 72, 2187, A. Hirst, Februar 11th, 1873, $15,646.78.

Sci. fa. sur mtge. of 19 acres, 71.4 perches. Stayed

v. Charles F. Abbot. No. 23. W. S. Cooper and al., M. 74, 1730, Jackson, Apri 25th, 1874, $981.15.

Restricted to lot on S. E. side Marmion, 108 feet S W. of Thirty-fifth Street.

v. James Wild. No. 24. J. W. Bullock, J. 69, 1093, Bullock, September 6th 1869, $3065.76.

v. James Wild. No. 25. J. Benswanger, J. 67, 433, Rand, October 11th, 1869

N. S. Not against James Wild, husband of Elizabet Wild, grantee of Charles F. Abbot.

COURT OF COMMON PLEAS.

v. Amos E. Griffiths.
v. Edward E. Jones.
v. William Sperry.
v. Thomas F. Shewell.
v. William B. Thomas.

No. 1. Charles F. Abbot, S. 72, 25, Read and P., Octobe 21st, 1872, Eq.

v. William Sperry. No. 2. Francis G. Smith, S. 72, 198, Gest, October 26th 1872, $97.87.

v. William B. Thomas. No. 3. J. Keeley and al., S. 73, 66, Ernst, November 11th 1873, Eq.

v. Thomas T. Smiley.
v. Charles F. Abbot.

No. 4. William B. Thomas, J. 73, 9, White, Eq.

v. Charles F. Abbot. No. 5. Hunter Brooke, S. 73, 25, White, Eq.

Nos. 1, 3, 4, and 5 are discontinued of record. No. 2 is marked t the use of Charles F. Abbot, all his estate in Philadelphia having bee first released therefrom for the benefit of himself and all parties claimin under him, by writing filed.

No locality searches taken.

No. 1112

BRIEF OF TITLE

TO ALL THAT

CERTAIN LOT

OR

PIECE OF GROUND,

SITUATE IN THE

FIRST WARD OF THE CITY OF PHILADELPHIA,

BETWEEN BOND AND DEAN STREETS,
AND RUNNING NORTH FROM
McKEAN STREET.

PHILADELPHIA:
JAS. C. STOKES, PRINTER, 326 CHESTNUT STREET,
1874.

BRIEF OF TITLE

TO

All that certain lot of ground, situate on the north side of McKean street, between Bond and Dean streets, in the First Ward of the city of Philadelphia; containing in front or breadth on said McKean street, 100 feet, 6 inches, and extending northward between Bond and Dean streets of that width, 341 feet to a 3 feet alley.

PATENT from William Penn, proprietary and governor of the province of Pennsylvania, and territories thereunto belonging, to Lasse Andrews, William Stille, Andrew Bankson and John Matson, reciting: "Whereas, there is a certain tract of land in the county of Philadelphia, beginning at a corner marked hickory tree, being the corner tree of Passyunk; then by the said Passyunk line of marked trees north, two hundred and seventy-two perches to a corner marked Spanish Oak, being the upper corner tree of the said Passyunk lands: then northeast by a line of marked trees, one hundred and sixteen perches to a corner marked swamp oak standing by Shackhansing, being the corner tree of Wecaccoe land; then southeast and by south by the said land, three hundred perches to a corner marked white oak, standing by the swamp side; from thence along the said swamp on the several courses to a corner marked mulberry tree, standing on Rancken's Hook; then along the several courses of the said Hook and meadow to a corner marked oak sapling, standing at the head of the said Hook; from thence the several courses of the swamp to the first-mentioned hickory tree, containing five hundred and twenty-five acres of land granted, by virtue of a patent, to Martin Clensmith, William Stille and Lawrence Andrews, from Alexander Hoynoyassa, governor of

1684
5th month 21st.
Ex'd Record.

the South River, in America, bearing date the 3d day of the 4th month, 1664, and by virtue of a warrant from myself, bearing date the 13th day of 4th month, 1683, for the re-survey of said tract of land, which was re-surveyed by order of the Surveyor General, the 20th day of the said month and year, unto Lawrence Andrews, Andrew Bankson, John Stille, and John Matson, the present possessors, in equal shares in the said lands, as also some meadow lands in the said county; beginning at a corner marked Spanish oak, by the side of Hollander's creek; from thence south west ninety-three perches to a corner marked black oak, standing by Hay creek; then northwest forty perches to a corner marked ash, standing by a swamp side; then on several courses of the said swamp to a corner marked ash tree, standing by Hollander's creek; from thence down the several courses of the said creek to the first mentioned Spanish oak; being thirty-two acres of land; together with another piece or parcel of meadow, beginning at a corner marked poplar, standing by Hay creek; then east by south eighty-three perches to a corner marked ash tree, standing by a swamp side; then on several courses of the said swamp one hundred and seventy-six perches to a corner marked black oak, standing on the mouth of Rosemond creek; from thence north and by west by a swamp side one hundred and sixty perches to the first-mentioned poplar tree, being thirty one acres of meadow; containing in all sixty-three acres of meadow, granted by an order from the court at Upland, bearing date the 18th day of the 4th month, 1678, for one hundred acres of meadow unto Lasse Andrews, William Stille, Andrew Bankson and John Matson, who took up in part the said sixty-three acres of meadow the 30th day of 5th month, 1680, being in the whole with meadow and upland, five hundred and eighty-eight acres of land;" and granting and confirming unto the said Lasse Andrews, William Stille, Andrew Bankson and John Matson, their heirs and assigns forever, the said five hundred and eighty-eight acres of land.

Recorded the 14th of 9th month, 1684, in Patent Book A, vol. 1, p. 58, &c., and in exemplification records, vol. 1, p. 47, &c.

The said William Stille died intestate, and his fourth part of the said lands descended to and vested in his only son and heir at law,

Note. John Stille, in fee.

1721, April 5th Ex'd Record. DEED—John Stille and Gartree his wife, in consideration of twelve pounds and fifteen shillings to John Hannis, Andrew Hannis

and William Hannis, in fee, in equal third parts, as tenants in common, for the tract marked A, in the above plan described as "A certain tract or piece of land, situate, lying and being in Moyamensing aforesaid; beginning at a post at a corner of William Tidmarsh's land, and running by the same north twenty-four degrees, west twenty perches and a half to another post by Passyunk road; then by the said road south forty-seven degrees, west forty-nine perches and a half to another post in a line of the said John Hannis, Andrew Hannis and William Hannis' other land; then by the same north seventy-one degrees; east forty seven perches to the place of beginning, containing three acres.

Proved May 22, 1721; recorded November 23, 1721, in Deed Book F, vol. 3, page 260, &c.

TITLE OF THE TRACT MARKED B IN THE ABOVE PLAN.

The said Lawrence (or Lasse) Andrews died, seized of one fourth of the land and meadow severed and divided from the residue of the premises described in the above patent. Note.

LAST WILL and testament of Lawrence Anderson (or Lasse Andrews), devising as follows: Item—I give unto Michael Neilson, Sr., and to Andrew Wheeler, "all that my house and plantation on Moyamensing, with the orchards, meadows, pastures and appurtenances, equally to them, the said Michael Neilson and Andrew Wheeler, by equal proportions." 1689. 5th month 17th Ex'd Record.

Proved 1st 9th month, 1689. Registered in Will Book A, page 150.

DEED—Michael Leycon, alias Neilson, to Andrew Wheeler in fee for all the estate, right, title, interest, use, possession, reversion, claim and demand whatsoever, which he the said Michael then had, or ever should have, in the aforesaid messuage, plantation and five hundred and eighty-eight acres of land. 1702. May 13th, Ex'd Record.

Not acknowledged or proven, but recorded the 15th of November, 1723, in Deed Book F, vol. 2, page 270, &c.

DEED—Andrew Wheeler to Anthony Morris—reciting: Whereas, there is a certain piece or parcel of land, situate in the said Township (Moyamensing), next adjoining the lands lately bought by Anthony Morris of William Wells, beginning in the eastern line of the same land; thence easterly twenty four perches to a Spanish Oak stake standing by William Wells' fence in his old field; from 1702. May 15th, Ex'd Record

thence southerly along John Stilla's line eighty-four perches to a black oak stake a little distance from a small hickory marked tree; from thence westerly by a line of trees joining upon the other part of the said Wheeler's land twenty-six perches to the corner of said Morris' land, which he bought of the said Wells; and thence northerly along the line that divides the said Wheeler's and Morris' lands eighty-two perches to the place of beginning, containing 13 acres, it being more or less within the said above bounds. Conveying the same to Anthony Morris in fee.

Acknowledged in open Court of Common Pleas, June 4th, 1702. Recorded November 13th, 1755, in Deed Book H. vol. 6, page 616, &c.

TITLE OF LOT MARKED C IN THE ABOVE PLAN.

1684. September 12th, Ex'd Record.

DEED—John Matson with the consent of Mary his wife, in consideration of one hundred and twenty pounds to Patrick Robinson in fee for "all that his the said John Matson's, his just and equal fourth part of a certain tract of land in the said county of Philadelphia, commonly known by the name of Moyamensing, bounded on the lands of Passyunk and Weccacoe; containing five hundred and twenty-five acres of land, as also that his, the said John Matson, his just and equal fourth part of two parcels of meadows, containing sixty-three acres, in the said county adjacent to the said land, being in the whole both meadow and upland, five hundred and eighty-eight acres of land; his the said John Matson's just and equal fourth part, consisting of one home lot and three other pieces of fenced and improved lands and the remainder of his said fourth part being as yet undivided and in common betwixt Lawrence Andrews, Andrew Bankson, John Stille and him the said John Matson, the present possessors, and equal shares thereof (being the said Matson's share in the land granted by the patent at the beginning of this brief.)

Acknowledged in open court 3d of 10th month, 1684. Recorded 6th of 10th month, 1684, in Deed Book E. vol. 5, page 45, &c.

1685. 9th month 4th Ex'd Record.

DEED—Patrick Robinson to Henrie Jones, his heirs and assigns forever (excluding Joseph Jones, his eldest lawful son and his heirs forever), for all his the said Patrick Robinson's fourth part of the same Moyamensing lands, as above described.

Acknowledged in open Court 4th of 9th month, 1685; recorded 6th of 9th month, 1685, in Deed Book E, vol. 5, page 135, &c.

LAST WILL and Testament of Henry Jones, devising as follows: 1688. 6th month 19th, Ex'd Record.
Sixthly. "I will that my said executors after named, or any two of them, for my estate and affairs in Barbadoes and Pennsylvania, shall and may (if they see the same meet and convenient for my said estate, representation and children) hire, let, set, lease, repair, improve or sell to the best advantage, all and singular my real and personal estate here and elsewhere, and shall and may sign, seal and deliver bills of sale, leases and conveyances for the same, with all solemnities requisite, to such persons as shall buy, lease or purchase the same from them."

Tenthly. "And of this, my last will and testament, I make and ordain John Jennings, Humphrey Waterman, the younger, and John Jones of Pennsylvania, for my estate and affairs here, or any two of them, executors of this my last will and testament for my estate and affairs here."

Proved 16th day of 8th month, 1688, and "a Probat" thereon granted to Jos. Jennings, Humphrey Waterman, the younger, and John Jones. Registered in Will Book A, page 83, &c.

DEED—John Jones and Humphrey Waterman, the younger, two of the executors of the last will and testament of Henry Jones, deceased, to John King, for the said Henry Jones' fourth part of the Moyamensing lands. Recited.

LAST WILL and Testament of John King, devising as follows: 1698. April 7th, Ex'd Record.
"And lastly, I do appoint my dear and loving wife, Mary King sole executrix of this my last will and testament, unto whom I give all the remainder of my household goods not mentioned in the schedule hereto annexed, with full power to my said executrix, as soon as may be after my decease, with the advice of my friends, Samuel Harrison, John Crapp, and Joseph Pidgeon, or any of them, to sell and dispose of all my houses, lands, goods and chattels mentioned in the schedule, or that may appertain to me, and withal, to make such titles and grants in all respects as the law shall require, unto any person or persons as shall purchase the same.

Proved April 15th, 1698, and letters testamentary granted to Mary King same day. Registered in Will Book A, page 393, &c.

DEED—Mary King, relict and executrix of the last Will and Testament of John King, deceased, to William Wells in fee, for "all his (the said John King's) just and equal fourth part of the 1699. October 20th, Recited in next mentioned deed.

Moyamensing lands, containing in the whole five hundred and eighty-eight acres."

1702. 9th of 2d month called April, Ex'd Record.

DEED POLL, under the hand and seal of William Wells, reciting: "Whereas there is a certain piece or parcel of land situate in the said township (Moyamensing), adjoining to the land now in the tenure of Anthony Morris, beginning at a hickory sapling in the eastern line of the said Morris' land; thence east twenty-six perches to a hickory stake, joining upon the lands of Andrew Wheeler, from thence south along the said Wheeler's line eighty perches to a hickory stake standing by a white oak, from thence westerly by a line of trees joining upon the other part of the said Well's land, twenty-six perches to the corner of the said Morris' land, and thence north along the line that divides the lands of the said Morris and Wells eighty perches to the place of beginning, containing thirteen acres—part of the tract which the said William Wells purchased of Mary King, widow—and in consideration of fifteen pounds, conveying to the said Anthony Morris in fee, all and singular the said thirteen acres of land, situate, bounded and being as is herein above set down and described (being the same more or less, within the said bounds.) Being the tract marked C in the above plan.

Acknowledged in open Court of Common Pleas, June 4th, 1702. Recorded November 13th, 1755, in Book H, vol. 6, page 618, &c.

By virtue of the Deeds, &c., above recited, the said Anthony Morris became seized, in fee, of both the said tracts of thirteen acres each—marked B and C in the above plan.

1705. July 31st, Ex'd Record.

DEED POLL—Anthony Morris, in consideration of four hundred and fifty-two pounds to John Legay, in fee, for *inter alia*, the said two tracts of land containing 13 acres each.

Acknowledged in open court of Common Pleas, September 6th, 1705. Recorded November 19th, 1755, in Deed Book H, vol. 6, page 619, &c..

1707. March 9th, Ex'd Record

DEED—John Legay in consideration of six hundred pounds to Henry Tildesley, in fee, *inter alia*, for the said two tracts of land.

Acknowledged December 14th, 1709, in Barbadoes. Recorded November 17th, 1755, in Deed Book H, vol. 6, page 610, &c.

DEED POLL, endorsed on the last recited deed—Henry Tildesley, in consideration of three hundred and eighty-five pounds to Edward Carlton, in fee for the same tracts. 1709. November 11th, Ex'd Record.

Acknowledged October 14th, 1709, in Barbadoes. Recorded November 17th, 1755, in Deed Book H, vol. 6, p. 610, &c.

LEASE AND RELEASE—Edward Carlton in consideration of six hundred pounds to John Hannis, Andrew Hannis and William Hannis in fee, in equal one-third parts, as tenants in common for, *inter alia*, "a certain tract of land situate, lying and being partly in Passyunk township and partly in Moyamensing township, beginning at a corner of John Stilley's land, in the line dividing Passyunk and Moyamensing Townships aforesaid, then south by the said line eight perches, then south eighty-five degrees west, by the land of James Lounes and Peter Cock, four hundred and fifty-six perches, then south fourteen perches, then south eighty-six degrees, west twenty eight perches, then south by the land of Theodorus Lord, three perches, then by the said lands of Peter Cock and Henry Badcock east five hundred and forty-five perches, then north six degrees, west ninety-two perches, then south seventy degrees, west by the said John Stilly's land, sixty-one perches to the place of beginning, containing one hundred and fifty-two acres, be the same more or less. (This tract includes both the said tracts of thirteen acres each.) 1720. Oct. 12th & 13th, Ex'd Record.

Acknowledged January 21st, 1720. Recorded January 21, 1720, in Deed Book F, vol. 4, page 139. &c.

DEED—John Hannis and William Hannis, in consideration of five shillings, &c., to Andrew Hannis, in fee, for "all and every the part and parts, purpart and purparts, shares and dividend of them, the said John Hannis and William Hannis, of, in and to, *inter alia*, the said tract of one hundred and fifty-two acres. 1729. January 10th, Ex'd Record.

Acknowledged October 1st, 1739. Recorded December the 11th, 1739, in Deed Book G, vol 2, page 187, &c.

The said Andrew Hannis thus became seized, in fee, of the three tracts of land, marked A, B and C in the above plan.

LAST WILL and Testament of Andrew Hannis (senior), devising as follows: "I hereby give and devise unto my said son, Andrew 1753. November 24th, Ex'd Record.

Hannis, his heirs and assigns forever, the plantation whereon I now dwell, called Plain Pleasant, composed of divers lots of land, purchased of sundry persons, viz: one lot purchased of Andrew Wheeler, in Moyamensing aforesaid, containing thirteen acres; one other lot purchased of William Wells, containing thirteen acres; one other lot purchased of John Stille, containing three acres; one other lot, purchased of Andrew Bankson deceased, containing eight acres whereon my dwelling house stands; one other lot in Passyunk, late the estate of Swan Bankson, deceased, which I purchased, containing twenty-seven acres of upland and three acres of drained meadow, next adjoining Joseph Turner's plantation. And all the remainder and residue of my drained meadow, adjoining the three acres aforesaid, part in Passyunk and part in Moyamensing; bounded southward with Joseph Coxe's meadow and upland, eastward and northward with James Lowne's meadow and upland; one other lot of land in said Passyunk, whereon my barn stands, being part of one hundred acres formerly purchased of John Cock and Lawrence Cock, being to the westward of my dwelling house and adjoining east on the Moyamensing township line, beginning at a corner black oak; standing in or near the line that runs north and south, dividing the townships of Moyamensing and Passyunk, and in the line of James Lowne's land; thence west one hundred and thirty perches and fifteen links to a corner stone to divide this from my son John's plantation; thence across the land partly north to another stone I set by the Passyunk Road, to be the other corner between my said two sons; and from thence partly easterly along the Passyunk road one hundred and twenty perches and seven links to a stone set for a corner between Joseph Lowne's land and my land, near my house in the aforesaid line, and thence south about sixty-eight perches to the place of beginning—containing fifty acres, be the same or any of them more or less. Together with the buildings, improvements and appurtenances thereto belonging. To hold the said plantation, land, hereditaments and premises unto him, my said son Andrew, his heirs and assigns forever—except the grounds wherein the vault and vault house stands, and ten feet of ground on every side of the same, which I have built for a burying place for me and my wife and children and grandchildren, and also a passage of fifteen feet wide to the same from the Moyamensing road; and it is my mind and will that the said burying place shall not at any time hereafter

be converted to any other use whatsoever, but that the same be and forever hereafter remain as and for a burying place for me and all my family and our descendants, and none other; and I do hereby give the same for the said use and free liberty and privilege of passing and repassing to and from the same forever.

Proved March 7th, 1754. Registered in Will Book K, page 158, &c.

DEED—Andrew Hannis (son and devisee of the above named Andrew Hannis, the testator,) and Elizabeth, his wife, in consideration of one hundred and twenty-two pounds to George Bullock, in fee, for a certain piece of land, situate in Moyamensing township aforesaid, beginning at a post at a corner of other land of the said Andrew Hannis, thence extending by the same north ten degrees and a half, west thirty one perches and one-tenth of a perch to a post in Passyunk road, thence by the said road north forty-seven degrees east twenty six perches and seven-tenths of a perch to an aspen tree, thence by the Moyamensing road south twenty-two degrees, east eighteen perches and eight-tenths of a perch to a post, thence south ten degrees, east twenty six perches and four-tenths of a perch to a post, thence by the said Andrew Hannis' other land south seventy-eight degrees, west twenty-six perches and two-tenths of a perch to the place of beginning, containing six acres and sixteen perches.

1755 October 24th, Ex'd Record

Acknowledged October 29th, 1755. Recorded November 11th, 1755, in Deed Book H, vol. 6, page 611, &c.

WILL of George Bullock, whereby after bequeathing an annuity of fifty pounds to his wife Catharine, which annuity he charged on his residuary estate, and making certain other bequests, he did give, devise and bequeath all the rest, residue and remainder of his estate, real and personal, unto his three children, Joseph, George and Elizabeth, part and share alike, and unto their several and respective heirs, executors, administrators and assigns forever, to be equally divided between them as they severally attain the age of twenty-one years.

1758. December 1st, Ex'd Record

Duly proved December 26th, 1758, and registered in Will Book , page.

George Bullock one of the said children and devisees of the aforesaid George Bullock, deceased, died intestate, unmarried and without

Recited in next Deed

issue, whereupon all his one full equal undivided third part or share of and in the said premises descended to and vested in his brother Joseph Bullock, as heir-at-law. Elizabeth Bullock, the daughter, and one of the devisees of George Bullock, deceased, intermarried with Peter Baynton.

1789
November 12th
Ex'd Record

DEED OF PARTITION—Joseph Bullock and Esther his wife, of the one part, and Peter Baynton and Elizabeth his wife of the other part, whereby the said above-mentioned piece or parcel of land, containing six acres, sixteen perches, was, *inter alia*, allotted to the said Joseph Bullock and his heirs in severalty, and the said Peter Baynton and Elizabeth his wife thereby granted, released and confirmed the same with the appurtenances unto him the said Joseph Bullock, his heirs and assigns in severalty forever.

Recorded March 29, 1790, in Deed Book No. 24, p. 284, &c.

Recited

The said Joseph Bullock being so seized of the above mentioned premises, died intestate, leaving to survive him three children, namely: Joseph, Sophia and Anna Maria Bullock, and three grandchildren, namely: William W., Mary B. and Emily Wister, who were the children of a deceased daughter named Rebecca, then late the wife of Charles J. Wister, to and in whom the said premises descended and vested in fee, subject to the dower or estate for life of Esther Bullock, widow of the said decedent, in the following shares and proportions, to wit:

Joseph Bullock,	$\frac{1}{4}$	Whole Estate.
Sophia Bullock,	$\frac{1}{4}$	
Anna Maria Bullock,	$\frac{1}{4}$	
William W. Wister,	$\frac{1}{3}$ of $\frac{1}{4}$	
Mary Wister,	$\frac{1}{3}$ of $\frac{1}{4}$	
Emily Wister,	$\frac{1}{3}$ of $\frac{1}{4}$	

Anna Maria Bullock, one of the aforesaid children of Joseph Bullock, deceased, died in the year 1825 unmarried and intestate, whereupon her one full equal undivided fourth part or share of and in the said premises, (subject to the Dower of her said mother) descended and vested in her surviving brother and sister, and the said children of her deceased sister Rebecca Wister, in the following shares and proportions, to wit:

Joseph Bullock,	$\frac{1}{3}$ of $\frac{1}{4}$	the full undivided one-fourth part.
Sophia Bullock,	$\frac{1}{3}$ of $\frac{1}{4}$	
William W. Wister,	$\frac{1}{3}$ of $\frac{1}{3}$ of $\frac{1}{4}$	
Mary Wister,	$\frac{1}{3}$ of $\frac{1}{3}$ of $\frac{1}{4}$	
Emily Wister,	$\frac{1}{3}$ of $\frac{1}{3}$ of $\frac{1}{4}$	

Esther Bullock, widow of the said Joseph Bullock, deceased, died in the year 1826; Emily Wister one of the aforesaid children of Rebecca Wister, deceased, died in the year 1831, unmarried and intestate, whereupon her share in the aforesaid premises being ($\frac{1}{3}$ of $\frac{1}{4}$, and $\frac{1}{3}$ of $\frac{1}{3}$ of $\frac{1}{4}$) descended to and vested in her surviving brother and sister, the William W. Wister and Mary Wister in equal shares as tenants in common, so that the said premises were then held in the following shares and proportions undivided, to wit:

Whole Estate.

Joseph Bullock (by his assignee as will hereafter appear),	- -	$\frac{1}{4}$ & $\frac{1}{3}$ of $\frac{1}{4}$-$\frac{1}{3}$
Sophia Bullock,	- - -	$\frac{1}{4}$ & $\frac{1}{3}$ of $\frac{1}{4}$-$\frac{1}{3}$
William W. Wister,	-	$\frac{1}{3}$ of $\frac{1}{4}$,-$\frac{1}{3}$ of $\frac{1}{3}$ of $\frac{1}{4}$,-$\frac{1}{2}$ of $\frac{1}{3}$ of $\frac{1}{4}$-$\frac{1}{6}$
Mary B. Wister,	-	$\frac{1}{3}$ of $\frac{1}{4}$,-$\frac{1}{3}$ of $\frac{1}{3}$ of $\frac{1}{4}$,-$\frac{1}{2}$ of $\frac{1}{3}$ of $\frac{1}{4}$-$\frac{1}{6}$

Note.

1830 June 14th, Ex'd Record

The said Mary B. Wister intermarried with William S. W. Ruschenberger, M. D.

Court of Common Pleas—Petition of the said Joseph Bullock (one of the children of Joseph Bullock, deceased), with schedule of property and list of creditors, exhibiting his insolvency.

Assignment of the said Joseph Bullock to J. G. Brentz and W. Chancellor, their heirs and assigns, of all his estate, real and personal and mixed, to which he was in any way entitled for the use of his creditors.

Executed under the hand and seal of Joseph Bullock—no date nor witnesses. Filed with the petition, June term, 1830, No. 35.

1835 November 14th Ex'd Record.

Court of Common Pleas—On motion of W. W. Smith, Esq., Charles J. Wister appointed trustee with William Chancellor, in place of J. G. Brentz, deceased.

1835 December 23d, Ex'd Bond

BOND—Charles J. Wister, William Wister, Wharton Chancellor, and William Chancellor to Commonwealth, in the sum of $6.000.

Conditioned for the faithful performance of the aforesaid trust. Trustees' Bond Book, No. 1, page 195.

1836 August 30th, Ex'd Record

DEED—Charles J. Wister and William Chancellor, trustees as aforesaid of the estate, debts and effects of the said Joseph Bullock, an insolvent debtor, to William W. Wister (one of the aforesaid children of Rebecca Wister, deceased), his heirs and assigns, for all the one full equal third part or share (undivided) which was of him the said Joseph Bullock, of, in and to the said above mentioned piece of land, containing 6 acres, 16 perches, more or less.

Recorded September 10th, 1836, in Deed Book S. H. F. No. 5, page 551, &c.

1836 March 14th, Ex'd Record.

DEED—Sophia Bullock (one of the said children of Joseph Bullock, deceased) to the said William W. Wister, his heirs and assigns, for all her one full equal undivided third part of and in said tract or parcel of land, containing 6 acres, 16 perches, more or less.

Recorded July 26th, 1836, in Deed Book S. H. F. No. 5, p. 225 &c. Re-sealed and delivered and re-acknowledged in consequence of erasure, December 3, 1841, and recorded Dec'r 10, 1841, in Deed Book G. S. No. 33, page 468, &c.

1841 December 9th, Ex'd Record.

DEED —William W. Wister and Hannah his wife and Wm. S. W. Ruschenberger, M. D. and Mary B. W. his wife (she the said Mary being one of the aforesaid children of Rebecca Wister, deceased) to Joel B. Sutherland and James Bond, their heirs and assigns, in equal moieties for all the said above mentioned piece of land, containing 6 acres, 16 perches.

Recorded December 10th, 1841, in Deed Book G. S. No. 33, page 470, &c.

1841 December 9th, Ex'd Record.

INDENTURE OF MORTGAGE—Joel B. Sutherland and James Bond to Charles J. Wister, his heirs and assigns, for the above described premises, to secure the payment of the principal sum of $1000.

Duly executed. Acknowledged December 10, 1841. Recorded December 10th, 1841, in Mortgage Book G. S. No. 16, page 156, &c.

The said premises were seized and taken in execution, and sold by virtue of legal proceedings had on the above recited mortgage, issued out of the District Court for the City and County of Philadelphia, at the suit of Charles J. Wister against Joel B. Sutherland and James Bond, whereof the following are the copies of the docket entries:

Ex'd Rec.

APPEARANCE DOCKET. September term, 1844.

Charles J. Wister *vs.* Joel B. Sutherland and James Bond. Lev. Fa. D. 44, 12. This judgment is satisfied Sheriff for costs.	Sci. Fa. sur mortgage, recorded in M. B. G. S., No. 16, p. 156, &c. Dec. 10th, 1841. Exit Sept. 24. Ret. 1 Mon. Oct. "Made known" October 26, 1844. Judgment for want of aff. of defence, October 28th, 1844. Damages assessed at $1022.67.

Wheeler 350

Sutherland

CHARLES WHEELER, Att'y for Plaintiff.

EXECUTION DOCKET. December term, 1844.

Charles J. Wister *vs.* Joel B. Sutherland and James Bond Oct. 29, sold to James Bond for $5500.	Lev. Fa. S. 44, 350. Real debt, - - - $1022.67 Interest from Oct. 26, 1844: Att'y & writ, - - $4.25 Ser. - - - - 1.50 Cr. - - - - .12 Prot. - - - - 4.75 Lev. - - - - .75

Wheeler 12

DEED POLL—Morton McMichael Esq., High Sheriff of the city and county of Philadelphia, to James Bond in fee for the last mentioned premises. 1845 January 25th Ex'd Reco d

Duly executed, acknowledged same day in open District Court for the city and county of Philadelphia, and entered among the records thereof in Sheriff's Deed Book R, page 416, &c.

By the Will of Andrew Hannis, senior, Andrew Hannis, the son, became seized of the lots A, B and C, in the above plan, and being so seized of thirty-two acres, part of the above, departed this life, leaving him surviving, Andrew Hannis, Mary Hannis, Dorothy Hannis and Sarah Hannis. Note

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Return of partition of the real estate of Andrew Hannis, deceased, made by James Ash, Esq., High Sheriff of the city and county of Philadelphia, and an inquest of twelve good and lawful men of his county, by virtue of a writ *de partitione facienda*, issued out of the Court of Common Pleas for the said city and county, bearing teste the 12th day of September, 1788, wherein Andrew Hannis was the plaintiff, and Mary Hannis, Dorothy Hannis and Sarah Hannis were defendants, wherein and whereby a tract, lot or piece of land, situate partly in Moyamensing and partly in Passyunk township, in the said county of Philadelphia, marked in the plan of division to the said partition annexed A No. 1, beginning at a corner of land of Joseph Bullock; thence along the said Passyunk road, the three following courses and distances to wit: south, forty eight degrees, west, forty one and eight-tenths perches; south, sixty seven and one-half degrees, west, four and eighth-tenths perches, and south, seventy nine degrees, west, thirty seven and three-tenths perches to a corner of this and lot marked in said plan B, No. 3, allotted to Mary Hannis; thence by said lot No. 3, south, four and a half degrees, east, sixty-one and eight-tenths perches to a corner of this and lot No. 7, allotted to Sarah Hannis; thence partly by the said lot No. 7, and partly by land of north, eighty-five degrees, east, sixty four and five-tenths perches to a corner of this and lot No. 5, allotted to Dorothy Hannis; thence by the said lot No. 5, the three following courses and distances to wit: north, five degrees, west, forty one and four-tenths perches, north, 85 degrees, east, 26 perches, and north 13¼ degrees, west, twenty two perches, to a corner in the line of Joseph Bullock's land; thence by the said Bullock's land the two following courses and distances to wit: south seventy-six and one fourth degrees, west six perches, and north fifteen and one-half degrees, west, thirty perches to the place of beginning, containing 32¾ acres and twenty-five perches with all the messuages, tenements, barns and other improvements thereon, excepting and reserving nevertheless the right and privilege of the lane or cartway, twenty-five feet wide over and across the 1789 October 1st Ex'd Record

above described tract from Passyunk road towards the lands allotted to Sarah and Dorothy Hannis, respectively, agreeably to the plan to said partition annexed, for the use and benefit of them the said Dorothy Hannis, Sarah Hannis and Andrew Hannis and their respective allotments, Nos. 1, 2, 6 and 7 adjoining to said lane, forever with the appurtenances, was *inter alia* allotted and assigned unto the said Andrew Hannis, in the said writ named as his purpart and proportion of, and in all and singular the messuage, tenements, lots, and premises, in the said writ, mentioned to be held by him the said Andrew Hannis, his heirs and assigns in severalty forever.

1790
May 6th
Ex'd Record

The Court confirmed the above partition and ordered that the same be and remain firm and stable forever.
Sheriff's return remaining among the records of the said court.

Recited

The said Andrew Hannis afterwards died, seized of the said 32 acres, 3 quarters, and 25 perches of land, having first made and published his last will and testament.

1824
February 6th
Ex'd Record

WILL of Andrew Hannis, wherein and whereby he did *inter alia* will that after all his just debts and funeral expenses should be paid, his property real and personal should be equally divided among his sons Andrew, Thomas and William, and his wife Frances, share and share alike, and in case that his son Thomas, who was then absent should die, he willed that his dividend should be equally divided between the other sons Andrew and William, and of his will he did nominate and appoint his son Andrew as executor, and his wife Frances as executrix.
Duly proved May 26th, 1724, and registered at Philadelphia, in Will Book No. 8, page 222, &c.

1825
April 15th
Ex'd Record

PETITION of Andrew Hannis and Frances Hannis, executors of the last will and testament of Andrew Hannis deceased, to the Orphans' Court of the city and county of Philadelphia, this day setting forth that the testator died leaving a small personal estate, an inventory and appraisement of which was thereto annexed. That the personal estate was altogether inadequate to the payment and satisfaction of the debts due and owing from the estate of the deceased as appeared by a final settlement of the administration accounts in the said court, accompanied by an affidavit of all the debts due by the estate, which had come to the knowledge of the petitioners. That the decedent and testator died seized in his demesne as of fee in the following real estate to wit: *inter alia* "all that the said tract of 32 acres, 3 quarters and 25 perches of land described as aforesaid; and praying the court to grant an order to make sale of the premises described for the payment of debts of said testator," whereupon the court ordered sale of the same at the Merchants' Coffee House, on Wednesday the 11th day of May, 1825, at 7½ o'clock in the evening, &c.

Report of Andrew Hannis and Frances Hannis, executors of Andrew Hannis, deceased, to the Orphans' Court for the city and county of Philadelphia, setting forth, that pursuant to an order of the said court, that they had exposed the said real estate therein described to sale at the time and place directed, but the same remained unsold for want of bidders, and prayed the court to grant a new order of sale, whereupon the court directed sale at public vendue at the Merchants' Coffee House, on the 8th day of June, 1825, at 8 o'clock in the evening, giving due notice, &c.

1825
May 4th
Ex'd Record

Report of Andrew Hannis and Frances Hannis, executors of Andrew Hannis, deceased, to the Orphan's court of the city and county of Philadelphia, setting forth, that pursuant to an *alias* order of sale of said court, they exposed the estate of the said Andrew Hannis, to sale at the time and place directed, and sold to George Morton, Esq., *inter alia*, the said lot No. 1, containing 32 acres, 3 quarters and 25 perches, for the sum of $225.00 per acre, which sale they prayed might be confirmed, whereupon the court confirmed the sale.

1825
June 17th
Ex'd Ret.

Petition of Andrew Hannis and Frances Hannis, Executors as aforesaid, to the Orphan's court, reciting the former petitions and sale, and the confirmation of the same by the court, and setting forth that the sale reported as made to George Morton, Esq., was at the request, and for the benefit of the heirs of the said Andrew Hannis, and praying the court that the order confirming the sale and all proceedings thereon be annulled and vacated, and the petitioners be ordered to resell the said real estate.

1826
May 19th
Ex'd Pet.

Whereupon the said court, upon due proof and consideration, granted the re-sale according to the prayer of the petitioners, and directed them to give due, public and timely notice of sale, according to law.

Mem: The above petition was agreed to by William Hannis, by writing thereon; he, with the petitioners, representing the whole estate, &c.

Report of Andrew Hannis and Frances Hannis, executors as aforesaid to the Orphans' Court, setting forth, that in pursuance of an order of the said court, they did on Wednesday the 14th day of June, 1826, after giving due public and timely notice at the Merchants' Coffee House, in the city of Philadelphia, expose, *inter alia* the said tract of land to sale, in two lots or parcels, as follows, to wit: No. 1, all that tract, lot or piece of ground and buildings thereon erected, situate on the east side of Passyunk Road, partly in Moyamensing and partly in Passyunk townships; bonded on the North by ground of Joseph Bullock and A. Shetzline, on the East by ground late of G. Bastan, on the South by Hannis' lane, being the lane or cartway

1827
January 19th
Ex'd Ret.

of 25 feet wide, aforesaid, and on the west by Passyunk Road, containing 20¾ acres and 25 perches. No 2, all that lot or tract of land situate on the east side of Passyunk road in Passyunk township; bounded on the north by Hannis' lane, on the east by land of D. Shetzline, on the south by land of Daniel Guirey, deceased, and on west by Passyunk Road aforesaid; containing twelve acres or thereabouts, and sold No. 1, the first described premises, to David Abbott of the city of Philadelphia, for the sum of $170 per acre, and No. 2, the second described premises, to the said David Abbott, for the sum of $82 per acre, and prayed the court that the sales so made might be confirmed; whereupon the said court, on due proof and consideration, (the parties all agreeing) confirmed the said sales.

Mem. William Hannis, by writing at the foot of the aforesaid report, concurred in the application.

1826 Feb. 16th Ex'd Record

Bond of Andrew Hannis, Frances Hannis and John Davis, for $7.000, filed in the Orphans' Court. Conditioned for the faithful performances of the trust in reference to the sale of the said real estate.

Real estate Bond Book W R, No. 1, page 5, &c.

1827 Feb. 16th Ex'd Record

DEED—Andrew Hannis and Frances Hannis, executors of the last will and testament of Andrew Hannis deceased, in pursuance of the order of court, to David Abbott, for *inter alia*, the said tract containing twenty acres and three quarters and 25 perches; together with the right, liberty and privilege of said lane or cartway 25 feet wide, in common with the owners of the property bounding thereon.

Duly executed, acknowledged same day. Recorded February 24th, 1827, in Deed Book G W R, No. 16, page 38, &c.

1827 Feb. 17th Ex'd Record

DEED—David Abbott to Andrew Hannis and Frances Hannis, in fee as tenants in common for the aforesaid tract, containing 20 acres 3 quarters and 25 perches, described as all that certain brick messuage or tenement, frame barn and the lot or piece of land thereunto belonging, situate partly in the township of Moyamensing and partly in the township of Passyunk, in the county of Philadelphia, beginning at a corner of Joseph Bullock's land; thence along the east side of Passyunk road the three following courses and distances to wit: south, forty eight degrees, west forty-one and eight tenths perches, south, sixty seven and one half degrees, west, four and eight-tenths perches and south, seventy nine degrees, west, five and four tenths perches to a twenty five foot wide lane leading southwardly from the Passyunk road; thence by the said lane the two following courses and distances to wit; south, five degrees, east, forty one and four-tenths perches, and south one degree, west twenty four and four-tenths perches thence by the land of John Wagner, north, eighty-five degrees, east, thirty-three and thirty-five hundredths perches, to land of ————

Shetzline; thence by the same the three following courses and distances to wit: north, five degrees, west, forty one and five-tenths perches, north, eighty five degrees, east, twenty six perches and north, thirteen and three fourths degrees, west, twenty two perches; thence by land of Joseph Bullock the two following courses and distances to wit: south, seventy six and one fourth degrees, west, six perches, and north, fifteen and one half degrees, west, thirty perches to the place of beginning, containing 20 acres, 2 roods and two perches, together with the right, liberty and privilege of the said lane.

Duly executed, acknowledged same day, recorded Feb. 24, 1827, in Deed Book G W R, No. 16, page 42, &c.

Indenture of Mortgage—Andrew Hannis and Frances Hannis to John Wister, in fee for the above described tract of 20 acres, 2 roods and 2 perches, to secure the payment of $3,400, in one year from the date thereof, together with the privilege of said lane. 1830 February 25th Ex'd Record

Duly executed, acknowledged Feb. 27th, 1830, recorded Feb. 27th, 1830, in Mortgage Book A M, No. 1, page 1, &c.

Assignment of the above recited mortgage, John Wister to Mary Bond, her heirs and assigns. 1845 Sept. 16th Ex'd Record

Duly executed, acknowledged Sept. 20, 1845, recorded Nov. 18, 1845, in mortgage book R L L, No. 25, page 181, &c.

The said tract of 20 acres, 2 roods and 2 perches, was afterwards seized, taken in execution and sold by the Sheriff of the county of Philadelphia under and by virtue of the following proceedings upon the said mortgage, issued out of the District Court of the said county, whereof the following are copies of the docket entries: Ex'd Dockets.

APPEARANCE DOCKET. September Term, 1845.

Mary Bond, assignee of John Wister,
vs.
Andrew Hannis, and Frances Hannis
Lev. Fa. S 45, 334.

Sci. Fa. Sur. mort. recorded Feb. 27, 1830, in M B A. M, No. 1, page 1, etc.

Ex. Sept. 23, ret. 1 mon. October. Service accepted by Deft's Attorney, October 7th, 1845, by agreement filed, judgment entered in favor of Plaintiff. $3,526.37 as per statement filed (vide agreement) Philips 401

Oct. 7th, 1845, Judgment. J. R. Vogdes.

EXECUTION DOCKET. September Term, 1845.

Philips 334

Mary Bond, Assignee, &c.
vs.
Andrew Hannis and
Frances Hannis
Sold to James Bond for
$4,200

Lev. Fa. S 45, 401.

Real debt - - -	$3,526.37
Int. from Oct. 7, 1845,	
Att'y and writ - -	4.25
L., - -	1.62½
C., - -	12½
Proth'y., - -	4.25
Lev., - -	.75

1845 November 15th Ex'd Record

DEED POLL—Morton McMichael, Esq., High Sheriff of the city and county of Philadelphia, to James Bond for the said tract, containing 20 acres, 2 roods and 2 perches, more or less, with the improvements. Together with the use and privilege of the said 25 feet wide lane.

Seized, taken in execution, and sold as the property of Andrew and Frances Hannis, under and by virtue of the aforesaid writ of Levari Facias.

Duly executed and acknowledged in open District Court, and entered among the records thereof in Sheriff deed book, S. page 499, &c.

1854 March 4th Prod.

DEED—James Bond and wife to James Markoe in fee, for all that certain lot or square of ground (part of the aforesaid several tracts of land,) situate on the north side of McKean Street, on the south side of Mifflin Street, on the east side of Thirteenth street, and on the west side of Twelfth Street, containing in front on the said Twelfth and Thirteenth streets, respectively 400 feet and on the said McKean and Mifflin streets, respectively 396 feet.

Duly executed and acknowledged April 27th, 1854. Recorded May 16th, 1854, in Deed Book T H, No. 145, page 411, &c.

1871 June 21st Prod.

DEED—James Markoe and wife, to Stephen Flanagan and James M. Flanagan, their heirs and assigns for the last mentioned premises.

Duly executed, acknowledged the same day, and recorded 5th of July A. D. 1871, in Deed Book J A H, No. 157, page 164, &c.

1871 June 21st. Ex'd Record

Indenture of Mortgage—Stephen Flanagan and James M. Flanagan, to James Markoe, in fee for the said premises to secure payment of the principal sum of $17,000 in two years, from the date thereof with interest.

Duly executed, acknowledged the 3d of July, 1871, and recorded the 5th of July, 1871, in mortgage book J A H, No. 132, page 222, &c.

Indenture of Mortgage—Stephen Flanagan and James M. Flanagan to James Markoe, in fee for said premises to secure payment of the principal sum of $8,000 in two years from the date thereof, with interest. 1871 June 21st, Ex'd Record

Duly executed, and acknowledged the 3d of July, 1871, and recorded the 5th of July, 1871, in mortgage book, J A H, No. 132, page 226, &c.

DEED—Stephen Flanagan and wife, and James M. Flanagan to Charles L. Flanagan in fee, for all that certain lot or piece of ground (part of said premises) on the west side of Twelfth street, extending from the south side of Mifflin to the north side of McKean street, containing in front along said Twelfth street, 400 feet and extending of that width in length or depth westward, between said Mifflin and McKean streets 332 feet 6 inches, to a three feet wide alley, together with the privilege of said alley, as and for a passage way and water course in common with the owners, tenants and occupiers of the other lots of ground bounding thereon. 1871 July 19th, Ex'd Record

Duly executed and acknowledged the same day, and recorded the 19th of September, 1871, in Deed Book J A H No. 182, page 9, &c.

DEED—Charles L. Flanagan to Stephen P. Bancroft in fee, for *inter alia*, all that certain lot or piece of ground (part of said square of ground) on the north side of McKean street between Bond and Dean streets, containing in front or breadth on said McKean street 100 feet 6 inches, and extending northward of that width between said Bond and Dean streets, 341 feet, to a three feet wide alley. 1871 July 20th, Prod.

Duly executed and acknowledged the 16th of September, 1871, and recorded the 19th Sept., 1871, in Deed Book J A H, No. 182, page 7, &c.

INDENTURE OF MORTGAGE—Stephen P. Bancroft to Charles L. Flanagan, in fee, for all that certain lot on the north side of McKean street, at the distance of 198 feet, 3 inches west of Twelfth street, in front on McKean street, 50 feet, 3 inches, and in depth northward, along the east side of Dean street, 341 feet to a three feet alley, to secure the payment of the principal sum of $7000, in one year from the date thereof, with interest. 1871 July 20, Prod.

Duly executed, acknowledged the 18th of September, 1871, and recorded 18th of September, 1871, in Mortgage book, J. A. H. No. 152, page 481, &c.

INDENTURE OF MORTGAGE.—Stephen P. Bancroft to Charles L. Flanagan, in fee, for all that certain lot on the north side of McKean street at the distance of 148 feet west of Twelfth street, in front on McKean street 50 feet, 3 inches, and in depth northward, along the west side of Bond street, 341 feet to a 3 feet wide 1871 July 20, Prod.

alley, to secure the payment of the principal sum of $7,000 in one year from the date thereof with interest.

Duly executed. Acknowledged the 18th of September, 1871, and recorded 18th of September, 1871, in Mortgage book, J. A. H. No. 152, page 478, &c.

The said 2 lots or pieces of ground were afterwards seized, taken in execution and sold by the Sheriff of the county of Philadelphia, under and by virtue of the following proceedings upon the Bonds accompanying the above two mortgages, issued out of the District Court of the said county, whereof the following are copies of the docket entries.

CONFESSED JUDGMENT DOCKET. March Term, 1873.

Stover 660	Charles L. Flanagan, *vs* Stephen P. Bancroft,	Judgment entered on bond and warrant of attorney, dated July 20, 1871, for $14,000, conditioned for the payment of $7000, at the expiration of one year from the date thereof with interest thereon at the rate of six per cent. per annum, payable half-yearly, *Provided*, that in default of the payment of the interest for the space of 30 days after any payment thereof shall fall due, then the whole principal shall at option of plaintiff become due and recoverable at once. April 24, 1873. Judgment.
Sutton 6, 24, '74. See paper filed.	June 28, 1873, rule to open judgment and let defendant into a defence. Proceedings to stay. *Eo die.* Affidavit of S. P. Bancroft filed. July 5th, 1873, stay rescinded. July 17th, 1874, Certiorari brought into office.	
Fi. fa. m. 73 1295	Sept. 17th, 1874, Remittitur from Supreme Court filed certifying "case discontinued."	

EXECUTION DOCKET. March Term, 1873.

Id. 1295	Same *vs* Same "Levied and condemned." Ven. Ex. J. 73-86.	Fi. fa. M. 73-660, D. S. B. Real debt, $7000. Int. from July 20, 1871.

EXECUTION DOCKET. June Term, 1873.

Id. 86	Same *vs.* Same "Stayed by injunction." Als. V. E. J. 73-925.	Ven. Ex. M. 73-1295.

EXECUTION DOCKET. June Term, 1873.

Id. 925	Same *vs.* Same "Stayed by order of Court." Pls. V. E. M. 74-827.	Als. Ven. Ex. J. 73-86.

EXECUTION DOCKET. March Term, 1874.

Same *vs.* Same March 17, 1874. 2 Pls. J. 74-324. Sold to Lewis Stover, for $9,500, terms of sale not complied with.	Pls. Ven. Ex. J. 73-925. R. D. $7,000, Int. July 19, 1871. May 8, 1874. Rule to set aside Sheriff's sale of real estate. *Eo die*, affidavit of S. A. Potter, filed May 16, 1864. Rule absolute.	Id. 827

EXECUTION DOCKET. June Term, 1874.

Same *vs.* Same May 20, 1874.	2 Pls. Ven. Ex. M. 74-827. R. D. $7000. Int. July 20, 1871. June 6, 1874. Rule to set aside Sheriff's sale. June 13, 1874. Rule discharged. July 6, 1874. Rule to dismiss exceptions. Rule absolute.	Id. 324

Sold to James M. Flanagan for $9,075, and the said purchaser appearing by the record to be a lien creditor, and entitled to the balance of the fund after the payment of costs, taxes and expenses of sale, as will appear by certificate of search hereto annexed, and writ of Ven. Ex. to D. C. J. 74, No. 324, Flanagan *vs.* Bancroft, he being the present owner of a first mortgage on the premises within described, and the sale having taken place under a judgment having been obtained on the bond accompanying the said mortgage I have taken his receipt for the sum of $8,225 on account, which together with $850, paid in and with the costs, taxes and expenses of sale aforesaid made up the whole purchase money.

CONFESSED JUDGMENT DOCKET. March Term, 1873.

Charles L. Flanagan, *vs.* Stephen P. Bancroft, June 28, 1873 Rule to open judgment and let defendant into a defence. Proceedings to stay. *Eo die*, Affidavit of S.P.Bancroft filed. July 5, 1873, Stay rescinded. July 17, 1874, Certiorari brought into office. Sept. 17, 1874, Remittitur from Supreme Court filed, certifying "case discontinued."	Judgment entered on bond and warrant of attorney, dated July 20, 1871, for $14,000, conditioned for the payment of $7,000 at the expiration of one year from the date thereof, with interest thereon at the rate of six per cent. per annum, payable half-yearly, *Provided*, that in default of the payment of the interest, for the space of thirty days after any payment thereof shall fall due, the whole principal shall at option of plaintiff become due and recoverable at once. April 24, 1873, Judgment.	Stover 661 Sutton, 6, 24, '74. See paper filed. Fi. fa. m. 73 1296

EXECUTION DOCKET. March Term, 1873.

Id. 1296	Same *vs.* Same "Levied and condemned." V. E. J. 73-87.	Fi. fa. M. 73-661, D. S. B. Real debt, $7,000. Int. from July 20, 1871.

EXECUTION DOCKET, June Term, 1873.

Id. 87	Same *vs.* Same "Stayed by injunction," Als. V. E. J. 73-926.	V. E. M. 73-1296.

EXECUTION DOCKET. June Term, 1873.

Id. 926	Same *vs.* Same "Stayed by order of Court." Pls. V. E. M. 74-828.	Als. V. E. J. 73-87.

EXECUTION DOCKET. March Term, 1874.

Id. 828	Same *vs.* Same March 17, 1874. 2 Pls. J. 74-325. Sold to Daniel Fitzpatrick, for $11.000, terms of sale not complied with.	Als. V. E. J. 73-926, R. D. $7,000. Int. July 19, 1871. May 8, 1874, Rule to set aside Sheriff's sale of real estate. *Eo die*, affidavit of S. A. Potter, filed. May 16, 1874, Rule absolute.

EXECUTION DOCKET. June Term, 1874.

Id. 324	Same *vs.* Same May 20, 1874.	2 Pls. Ven. Ex. M. 74-827. R. D, $7,000. Int. July 20, 1871. June 6, 1874, Rule to set aside Sheriff's sale. June 13, 1874, Rule to discharge. July 6, 1874, Rule to dismiss exceptions absolute.

Sold to James M. Flanagan for $10,125, and the said purchaser appearing by the record to be a lien creditor and entitled to the balance of the fund after the payment of the costs, taxes and expenses of sale as will appear by certificates of search, hereto annexed, to writ of Ven. Ex. to D. C. J. 1874, No. 325, Flanagan *vs.* Bancroft, he being the present owner of a first mortgage on the premises within described and the sale having taken place under a judgment ob-

tained on the bond accompanying the said mortgage. I have taken his receipt for the sum of $8,638, on account, which together with $1,487, paid in and with the costs, taxes and expenses of sale aforesaid, make up the whole purchase money.

Assignment of the above recited two mortgages, Charles L. Flanagan, to James M. Flanagan, his heirs and assigns. May 25 1874

Duly executed. Acknowledged May 25, 1874. Recorded in mortgage book, F. T. W., No. 191, page 244, &c.

DEED POLL.—William Elliott, Esq., High Sheriff of Philadelphia, to James M. Flanagan, for the lot of ground with 24 unfinished two story brick buildings thereon erected, fronting on McKean and Bond streets above described, containing in front on McKean street 50 feet, 3 inches and on the west side of Bond street 341 feet to a three feet alley. 1874 Sept. 21st, Prod.

Duly executed and acknowledged in open District Court, and entered among the records thereof, in Sheriff's Deed Book, 88, page 30, &c.

DEED POLL.—William Elliott, Esq., Sheriff of Philadelphia, to James M. Flanagan, for the lot of ground with 24 unfinished two story brick buildings, theron erected, fronting on McKean street, and Dean street above described, containing in front on McKean street, 50 feet, 3 inches, and on east side of Dean street 341 feet to a 3 feet alley. 1874 Sept. 21st, Prod.

Duly executed and acknowledged in open District Court, and entered among the records thereof in Sheriff's Deed Book 88, page 28, &c.

DEED.—James M. Flanagan to Andrew J. Maloney, in fee, for the two lots last above described, with the 48 unfinished 2 story brick dwellings thereon erected. 1874 Sept. 23d, Prod.

Duly executed Acknowledged same day. Recorded October 24th, 1874, in Deed Book F. T. W., No. 151, page 334, &c.

RELEASE OF MORTGAGES.—James Markoe to Stephen Flanagan and James M. Flanagan, their heirs and assigns, releasing the premises on Bond and Dean streets, above described, *inter alia*, from the two mortgages above described, one of $17,000, and the other of $8,000. 1874 Oct. 13.

Acknowledged same day. Recorded in deed book F. T. W. No. 151, page 307, &c.

1874 Oct. 7th. DEED.—Andrew J. Maloney and Susie his wife, to Thomas Reilly. Same premises.

Acknowledged same day. Recorded October 24, 1874, in Deed book F. T. W. No. 151, page 379, &c.

1874 Oct. 7th. 48 MORTGAGES.—Thomas Reilly to Andrew J. Maloney, to secure the sum of $1,000 each in five years.

Acknowledged same day. Recorded in Mortgage book, F. T. W. No. 190, pages 265 to 406, &c.

Prepared by

A. J. MALONEY,

213 S. Sixth Street.

MORTGAGE SEARCH.

Lots of ground and messuages situate at the north-west corner of Bond and McKean streets in the First Ward of Philadelphia, (and at the distance of 148 feet westward from the west side of Twelfth street). Containing in front on Bond street, 341 feet to a 3 feet wide alley, and in length or depth westward of that width 100 feet, 6 inches to the east side of Dean street.

Please certify any unsatisfied mortgages appearing on record given on the above described premises, by

George Bullock—From Oct. 1, 1755, to April 1, 1790.
Joseph Bullock, } From November 1st, 1758, to October 1st,
Elizabeth Bullock, } 1836.
Peter Baynton, } From November 1, 1758, to April 1,
Elizabeth Baynton, } 1790.
Sophia Bullock—From Nov. 1, 1789, to Aug. 1, 1836.
Anna Maria Bullock—From Nov. 1, 1789, to Jan 1, 1826.
William W. Wister—From Nov. 1, 1789, to Jan. 1, 1841.
Mary Wister—From Nov. 1, 1789, to June 1, 1841.
Emily Wister—From Nov. 1, 1789, to June 1, 1832.
William S. W. Ruschenberger—From Jan. 1, 1800, to Jan. 1, 1841.
Mary B. Ruschenberger—From Jan. 1, 1800, to Jan. 1, 1841.
David Abbott—From June 1, 1826, to March 1, 1827.
Andrew Hannis, } From February 1, 1827, to April 1,
Frances Hannis, } 1830.
Joel B. Sutherland—From Dec. 1, 1841, to Feb. 1, 1845.
James Bond—From Dec. 1, 1841, to June 1, 1854.
James Markoe—From March 1, 1854, to August 1, 1871.
Stephen Flanagan—From June 1, 1871, to Nov. 1, 1871.
James M. Flanagan—From June 1, 1871, to Nov. 1, 1871.
Charles L. Flanagan—From June 1, 1871, to Nov. 1, 1871.
Stephen P. Bancroft—From July 1, 1871, to Nov. 1, 1871.
James M. Flanagan—Since May 1, 1874.

To the Recorder of Deeds, &c.

A. J. MALONEY,

213 S. Sixth Street.

On searching the Index of Mortgages for the City and County of Philadelphia, I do not find any unsatisfied mortgage of the above described premises, or of any part thereof, given by either of the twenty-three persons above named, within the periods specified, except five—one by Joel B. Sutherland to James Bond, dated August 12th, 1842, for one thousand dollars, two by Stephen Flanagan

69
10

Brief of Title

TO

PROPERTY

ON HART LANE

IN THE

TWENTY-EIGHTH WARD

PHILADELPHIA

SIDDALL BROTHERS, PRINTERS

1874

Brief of Title

TO

All that certain tract of land situate on the Southerly side of Hart Lane (two perches wide leading from the Wissahickon Road Eastward toward Germantown Road) in the Twenty-eighth Ward of the City of Philadelphia. Beginning at a stake for a corner on the Southerly side of said Hart Lane thence extending by land formerly of Tench Francis South fifteen degrees fifty-five minutes West thirty-nine and fifty-seven hundredths perches to a black oak stump thence by land now or late of John Dickinson South seventy-three degrees seventeen minutes East one hundred and forty-three and twenty-six hundredths perches to a stake thence by land formerly granted to Martin Smith North fourteen degrees twenty-eight minutes East thirty-nine and three-tenths perches to a stake on the side of the said lane thence along the same North seventy-three degrees seven minutes West one hundred and eighteen and ninety-five hundredths perches to a point, and North seventy-two degrees forty-three minutes West twenty-three and thirty-four hundredths perches to the place of beginning. Being the Titlow tract.

Containing thirty-four acres one hundred and fifty-eight perches of land.

ALSO

All that certain tract or piece of land situate on the Northerly side of said Hart Lane. Beginning at a point at the intersection of the Northerly side of said Hart Lane with the

middle of Twenty-second Street thence extending along the said lane North seventy-three degrees seven minutes West crossing Twenty-third, Twenty-fourth and Twenty-fifth Streets sixteen hundred and seven feet seven inches to a corner in the line of land of John Rusk thence extending North sixteen degrees twenty-two minutes East two hundred and eighty-eight feet and three eighths of an inch to a point in the middle of Lehigh Avenue thence extending Eastwardly along the middle of said Avenue crossing Twenty-fifth, Twenty-fourth and Twenty-third Streets fifteen hundred and seventy-four feet eleven and one quarter inches to a point being the intersection of the middle line of Lehigh Avenue with the middle line of Twenty-second Street and thence Southwardly along the middle of said Twenty-second Street four hundred and forty-one feet eleven and one half inches to the beginning. Being the Wharton tract.

Containing thirteen acres and forty-eight perches of land.

No. 1

1701
October 23

Recited in
Deed No. 9

PATENT.- William Penn Proprietary &c. to John Callow in fee for a certain tract or parcel of land situate in the County of Philadelphia on the East side of the River Schuylkill. Beginning at a corner post on the said river standing on the upper side of a small run of water thence East-Southeast by the said Proprietary's own land and the land of Thomas Justis four hundred and twenty-six perches unto a hickory marked for a corner thence South-Southeast twenty-six perches to a post thence South sixty-two degrees Westerly seventy-six perches to a post thence West-Northwest by the land of John Hood unto a corner marked black oak by the Schuylkill thence up the same to the place of beginning.

Containing two hundred and fifteen acres.

No. 2
1727
April 5
Examined
Record

WILL of John Callow devising two thirds of all his messuages lands and tenements to his kinsman John Whelden in fee and the remaining third to his kinsman Paul Watkinson during his natural life and after his decease to the heirs of his body lawfully begotten or to be begotten and for want of such issue to the said John Whelden in fee and of said Will appointed John Whelden executor.

Proven July 27th, 1728, and Registered at Philadelphia in Book of Wills E. page 83.

No. 3
1728
September 21
Examined
Record

MORTGAGE.- John Whelden and Mary his wife to Jonathan Hood granting said two thirds of said two hundred and fifteen acres to secure payment of £81.

Recorded March 5th, 1728 - 29, in Deed Book F. 4 page 466.

COURT OF COMMON PLEAS

No. 4 — John Renshaw *vs.* John Whelden executor of John Callow

September Term 1730
Judgment for £70 Fi. fa. ret. Sept. 9th, 1730, vend. exp. tested Sept. 14th, 1730, ret. Dec. 9th, under which premises were sold to Thomas Sober.

No. 5

1730
October 31

DEED POLL.- Charles Read Esq. Sheriff to Thomas Sober in fee for one third part of said two hundred and fifteen acres. Seized taken in execution and sold by virtue of the above mentioned writ of venditioni exponas.

Recited in Deeds of July 15th and 17th, 1731, (Nos. 7 and 9).

No. 6

1730 - 31
February 20

Examined
Record

DEED.- Jonathan Hood to Thomas Sober in fee for two thirds of said tract of two hundred and fifteen acres. Reciting that said premises had been granted by John Whelden and wife to secure payment of £81 in a certain time that the time of payment had passed and that the estate had become absolute in said Jonathan Hood. Subject to the right and equity of redemption therein of the said Whelden and wife if any they had.

Recorded July 19th, 1731, in Deed Book F. 5 page 253.

No. 7

1731
July 15

Examined
Record

DEED.- John Whelden and wife to Thomas Sober his heirs and assigns granting and releasing the said two thirds of said two hundred and fifteen acres.

Recorded August 6th, 1731, in Deed Book F. 5 page 277.

No. 8

1731
July 16

Examined
Record

DEED.- John Whelden executor of John Callow and Paul Watkinson to Thomas Sober in fee releasing all errors in proceedings in said suit *Renshaw vs. Callow* and also releasing the said tract described as containing two hundred acres unto the said Thomas Sober his heirs and assigns.

Recorded in Deed Book F. 5 page 379.

No. 9

1731
July 17

Examined
Record

DEED.- Thomas Sober to William Allen in fee for said two hundred and fifteen acres.

Recorded August 16th, 1769, in Deed Book I. 5 page 471.

No. 10
1743
February 1
Examined
Record

DEED.- William Allen and wife to Tench Francis in fee for the said two hundred and fifteen acres.

Recorded December 26th, 1769, in Deed Book I. 5 page 559.

No. 11

1758
August 4

Examined
Record

WILL of Tench Francis the elder devising all the lot of land purchased of William Allen to his wife during her widowhood and devising all the rest residue and remainder of his estate real personal and mixed and the reversions and remainders thereof unto his son Tench Francis in fee.

Proved August 19th, 1758, and Registered at Philadelphia in Will Book L. page 141.

Brief of Title

TO TRACT FIRST DESCRIBED AT THE HEAD OF THIS BRIEF

No. 12

1795
March 24

Examined
Record

DEED.- Tench Francis and wife of the first part John Manderfield of the second part and Frederick Kreider of the third part. Reciting that said John Manderfield had agreed to purchase the premises and had taken possession thereof but neglected to pay the purchase money and no deed having ever been made to him he had relinquished all his right and interest in the premises unto Frederick Kreider and agreed that said Tench Francis should convey the same unto the said Frederick Kreider and his heirs and granting and conveying unto the said Frederick Kreider his heirs and assigns all that messuage tenement and tract of land situate lying and being on the Southerly side of a certain road or lane two perches wide leading from the Wissahickon Road through or across a large tract of land of the said Tench Francis Eastward towards Germantown Road in the Northern Liberties of the City of Philadelphia. Beginning at a stake for a corner on the South side of said lane thence extending by other land of said Tench Francis South sixteen degrees West thirty-nine perches to a black oak stump thence by land now or late of John Dickinson Esq. South seventy-three degrees East one hundred and forty-one perches to a stake thence by land formerly granted to Martin Smith North sixteen degrees East thirty-nine perches to a stake on the side of the

said road or lane thence along the said road or lane North seventy-three degrees West one hundred and forty-one perches to the place of beginning. Containing thirty-four acres fifty perches.

Duly executed and acknowledged April 9th, 1795, and Recorded May 5th, 1795, in Deed Book D. 48 page 395.

NOTE: — The said Frederick Kreider died on the 24th day of August, 1824, intestate leaving a widow Frances and four children Frederick, Henry, Anthony and George all of full age.

No. 13

1825
January 21

Examined
Record

At an Orphans' Court for the City and County of Philadelphia the petition of the said Henry Kreider was presented setting forth that the said Frederick Kreider died intestate seized of inter alia the said tract of thirty-four acres fifty perches and leaving a widow and children aforesaid and praying the Court to award an inquest to make partition of the said premises among the widow and heirs of said intestate. Whereupon the said Court awarded an inquest accordingly.

Orphans' Court Docket No. 30 page 232.

No. 14

1825
February 18

Examined
Record

Return of Sheriff and Inquest allotting the said tract of thirty-four acres fifty perches (here called thirty-four acres) to Frederick Kreider (the second) in fee in severalty and setting out the respective allottments of the other three sons each of the four allottments charged with the payment of $ 100.- to Frances Kreider widow of the intestate annually during her life.

Confirmed Nisi by said Court February 18th, 1825. Confirmed absolutely next Orphans' Court day. Orphans' Court Docket No. 30 page 257. Partition Docket J. S. No. 1 page 35.

Recited

The said Frances Kreider the widow died in the year 1828.

No. 15

1825
May 7

Examined
Record
JES. 5/14/86

DEED.- Frederick Kreider to John Jennings in fee for the said tract of thirty-four acres fifty perches to hold the same in trust for the use of Mary Kreider wife of the said Frederick during the term of her natural life without impeachment of waste and from and after the determination of that estate to the use the said John Jennings and his heirs upon trust to support and preserve contingent uses and estates thereinafter limited and from and after the decease of the said Mary or other sooner determination of the said estate then to the use and behoof of such child or children of the said Frederick on the body of the said Mary to be begotten their heirs and assigns forever if more than one to hold as tenants in common and for default of such issue then to the use and behoof of the right heirs of the said Mary Kreider their heirs and assigns forever with an unlimited testamentary power in her and a power of revocation in them the said Frederick and Mary during their joint lives.

Acknowledged same day and Recorded May 10th, 1825, in Deed Book G. W. R. No. 7 page 626 &c.

NOTE: — Frederick Kreider died March 30th, 1830, having never had any issue whereupon the said thirty-four acres fifty perches became vested in the said Mary Kreider his wife in fee simple.

No. 16
1858
December 15
Examined
Record

WILL of Mary Kreider whereby she did will and devise as follows: — "I give and "bequeath to Abram Titlow all my real and "personal estate consisting of thirty-five "acres of land more or less situate in the "Twenty-first Ward of the City of Philadel- "phia my personal estate consisting of house- "hold furniture farming utensils stock &c." She bequeathed to Frederick Kreider one thousand dollars which she directed should be paid to him by the said Abram Titlow within one year after her decease and appointed L. M. Service her executor.

In the account of the said executor filed June 6th, 1861, and confirmed by the Orphans' Court July 19th, 1861, he claims credit for the sum of $1000.- the amount of said legacy deposited in the Pennsylvania Company for Insurance on Lives &c., in trust for Frederick C. Kreider Esq.

Proved December 27th, 1859. Registered at Philadelphia in Will Book No. 43 page 58 &c.

No. 17
1863.
July 18
Examined
Record

WILL of Abraham Titlow whereby after making certain bequests he directed that the residue of his estate should be distributed by his executors according to the intestate laws and appointed his brother David Titlow sole executor.

1863
August 4

Examined
Record

CODICIL to said Will devising as follows: — "That my executor shall be my "trustee and shall have the care and management of my estate and hold the same "in trust for five years next succeeding my "decease to collect the rents and profits "thereof and pay the expenses incident "thereto and if any surplus divide the same among my heirs "annually and at the end of five years as aforesaid to sell "said estate and divide the same as provided by my will of "the 18th of July A. D. 1863."

1863
August 11

Examined
Record

SECOND CODICIL to said Will as follows: — "I Abraham Titlow being desirous "of attaching a second Codicil to my Will "of the 18th of July, 1863, do therefore "hereby declare that upon reflection it might "be to the best interest of my heirs and devisees to have my estate parted or sold and "divided within a shorter period than five years from my "decease therefore I hereby empower my aforesaid executor "and trustee to sell and divide my estate in manner aforesaid at any time after the expiration of one year and one day "from my decease if in his opinion such earlier sale and disposition of my estate may better conduce to the interests "of my heirs and legatees."

Proved June 25th, 1864. Registered at Philadelphia Will Book No. 53 page 189 &c.

Collateral Inheritance Tax paid November 14th, 1870.

No. 18

1870
September 24

(No. 121)

Examined
Record

At an Orphans' Court for the City and County of Philadelphia the petition of John H. Wheeler was presented setting forth the facts above recited and that the said David Titlow executor &c. by an agreement dated June 3rd, 1870, had agreed to sell and the petitioner had agreed to buy the foregoing described tract of thirty-four acres fifty perches and praying the leave of the Court to pay the purchase money into Court or to the said executor to be disposed of according to the uses and trusts contained in the Will of the said Abraham Titlow deceased and that such payment should be deemed valid against all persons having or who may have an interest therein. Whereupon the said Court on due consideration granted leave to the petitioner to pay the purchase money to the said executor without security.

Docket No 60 page 409 &c.

No. 19

1870
October 21

Produced

DEED.- David Titlow executor and trustee of Abraham Titlow deceased to John Howell Wheeler in fee for the said tract of thirty-four acres fifty perches (described by the new survey as containing thirty-four acres and one hundred and fifty-eight perches.

Duly stamped with the U. S. Internal Revenue Stamps. Acknowledged same day and Recorded November 14th, 1870, in Deed Book J. A. H. No. 76 page 515 &c.

No. 20

1870
October 21

Produced

Ex'd Record
May 14/86
JES

DEED.- John Howell Wheeler to Joseph M. P. Price in fee for the said premises last described. Being the premises first described at the head of this Brief.

Duly stamped. Acknowledged same day. Recorded November 14th, 1870, in Deed Book J. A. H. No. 76 page 520 &c.

Brief of Title

TO SECOND DESCRIBED TRACT AT HEAD OF THIS BRIEF

No. 21

1769
June 12

Examined
Record

DEED.- Tench Francis and wife to Frederick Reichennacker in fee for all that piece or parcel of land situate in the Northern Liberties County of Philadelphia on the North side of a certain road two perches wide leading out of the Wissahickon Road through or across a large tract of land of the said Tench Francis marked in a certain plan No. 14 at the distance of two hundred and forty-eight perches from the said Wissahickon Road. Beginning at a stake for a corner in the said cross road and from thence extending by the same road South seventy-one degrees East forty perches to a corner post in the line of the said Francis other land thence by the same North nineteen degrees East thirty-nine and two tenths perches to a corner of Dr. Thomas Bond's land thence by the same South seventy degrees West forty perches to a corner post then by said Francis' other land South nineteen degrees West thirty-nine and two tenths perches to the place of beginning. Containing nine acres three quarters and eight perches. (Recites that it is part of the two hundred and fifteen acres granted by the aforesaid patent to John Callow).

Acknowledged July 3rd, 1769. Recorded August 30th, 1797, in Deed Book D. No. 63 page 271 &c.

No. 22

1783
August 20

Examined
Record

DEED.- Frederick Reichennacker and wife to Abraham Wilt in fee for two contiguous lots or pieces of land. Containing together fourteen and three quarters acres thirty-one perches being composed of said last described tract and of another tract of five acres and twenty-three perches.

Acknowledged August 20th, 1783. Recorded August 30th, 1797, in Deed Book D. No. 63 page 276 &c.

No. 23

1784
December 1

Examined
Record

DEED.- Abraham Wilt and wife to Jacob Shell and Rosina his wife their heirs and assigns for the said last mentioned two lots of land.

Acknowledged November 28th, 1795. Recorded August 30th, 1797, in Deed Book D. No. 63 page 279 &c.

No. 24

1806
October 15

Examined
Record

DEED.- Jacob Schell and Rosina his wife to Jacob Fitler in fee for the said lot of land. Containing nine acres three quarters and eight perches.

Acknowledged same day. Recorded November 12th, 1806, in Deed Book E. F. No. 25 page 374 &c.

No. 25 1806 October 15 Examined Record	MORTGAGE.- Jacob Fitler to Samuel Volans granting the last described premises in mortgage to secure payment of four hundred dollars with interest. Acknowledged October 16th, 1806. Recorded October 20th, 1806, in Mortgage Book E. F. No. 10 page 492 &c. Satisfied September 7th, 1824.

Proceedings were had in the District Court on the said Mortgage.

DOCKET ENTRIES
June Term, 1824

No. 26 *Scott* *390* Endorsed on back of sci. fa. June 4th 1824 Made known Peter F. Fritz Jno. J. Douglass sheriff	Samuel Volans *vs.* Danied Fitler administrator of Jacob Fitler deceased levari facias to S. 24, 66	Sci. fa. sur. mortgage ex. 26th May. June 18th, 1824, by order plaintiff's attorney filed, Judg't for want of an appearance. June 18th 1824. Judgment.

December 13th, 1827. I acknowledge satisfaction of this judgment, the money having been made under levari.

J. M. SCOTT

September 1824

Scott	Same	Levari facias (J. 24 390). Real debt $400.- Interest from January 12th, 1821. Costs.
66	*vs.*	
	Same	
	June 19 Sold to N. Potts for $1130.-	

No. 27

1824
August 10

Examined
Record

DEED POLL.- John Douglass Esquire Sheriff to Nathaniel Potts in fee for the said last mentioned tract of land. Containing nine acres three quarters and eight perches.

Acknowledged in open District Court March 8th, 1825, and entered among the records thereof in Book D. page 358 &c.

No. 28

1828
July 14

Examined
Record

DEED.- Nathaniel Potts and wife to Samuel Rowland Fisher in fee for the said tract of land.

Acknowledged same day and July 19th, 1828, Recorded August 7th, 1828, in Deed Book G. W. R. No. 22 page 639 &c.

No. 29

1769
December 30

Examined
Record

DEED.- Tench Francis and wife to Christopher Benes in fee for a piece or parcel of land situate in the Northern Liberties aforesaid on the North side of a certain road two perches wide running from the East side of the Wissahickon Road through or across a large tract of land belonging to the said Tench Francis. Beginning at a corner of a lot granted or intended to have been granted by the said Tench Francis to a certain Frederick Reichennacker thence along the said two perch wide road South seventy-one degrees East sixty-two perches to a stake being a corner of a lot granted or intended to have been granted by the said Tench Francis to Harry Sûss thence on the said Sûss's line North nineteen degrees East thirty-nine perches to a stake another corner of the said Sûss's land thence North seventy-one degrees West sixty-two perches to a stake a corner of said Frederick Reichennacker's land thence along the line of said Reichennacker's land South nineteen degrees West thirty-nine and two tenths perches to the place of beginning. Containing fifteen acres twenty-four perches. (Recites that it was part of the aforesaid tract of two hundred and fifteen acres).

Acknowledged February 14th, 1770. Recorded June 23rd, 1770, in Deed Book I. vol. 7 page 256 &c.

No. 30

1775
January 20

Examined
Record

DEED.- Christopher Benes and wife to Sebastian Sibert in fee for the last above described piece of land.

Acknowledged same day. Recorded September 7th, 1793, in Deed Book D. No. 42 page 90 &c.

No. 31
1776
December 14
Examined
Record

WILL of Sebastian Sibert whereby he gave one third part of all his real and personal estate to his wife Barbara Sibert during her natural life and the remaining two thirds shares to his three children Caspar Sibert, Ann May Deitz wife of Peter Deitz and Adam Sibert equally to be divided unto them their heirs executors administrators and assigns forever.

Proved April 24th, 1777, and Registered at Philadelphia in Book R. page 32 &c.

Proceedings in Partition were had in the Court of Common Pleas.

DOCKET ENTRIES

March, 1783.

No. 32		
Haley	Peter Deitz &c.	Sums. Partition
550	*vs.*	"Served"
	Barbara Sibert	Judgment

June, 1783

id	Same	March, 1783, 550
147	*vs.*	Writ de part: facienda
	Same	

Partition returned and judgment that partition remain firm and stable forever.

No. 33

1783
June 6

Examined
Record

COMMON PLEAS.- Return by William Will Esq., Sheriff and Inquest setting forth partition of the premises in the writ described into three equal parts and that one third part as therein set forth was allotted unto the said Barbara Sibert as her full part. And one third part of the rest and residue thereof the whole into three equal parts being divided as therein set forth unto Peter Deitz and Mary his wife in her right their heirs and assigns forever. And one other third part of the said residue unto Casper Sibert his heirs and assigns. And the other third part of the said residue including therein the above mentioned tract of fifteen acres and twenty-four perches unto the said Adam Sibert to be held by him his heirs and assigns forever in severalty; they had caused to be assigned and delivered.

Partition Deed Book 1 page 398 &c.

No. 34

1797
April 27

Examined
Record

DEED.- Adam Sibert to John Cook in fee for the said last described lot of land. Containing fifteen acres twenty-four perches.

Acknowledged May 4th, 1797. Recorded May 9th, 1797, in Deed Book D. No. 64 page 233 &c.

No. 35

1798
April 10

Examined
Record

DEED.- John Cook and wife to Andrew Diehl in fee for a lot or piece of land being the Westernmost part of the last above described tract situate on the North side of the said two perch wide lane or road. Beginning at a stake on the said road thence extending by land formerly of Frederick Reichennacker and then of Jacob Schell North fifteen degrees thirty five minutes East thirty-nine and seven tenths perches to a corner stake thence by land of Thomas Kitland South seventy-two degrees forty-five minutes East thirty-three and one tenth perches to a stake thence by the remaining land of the said John Cook South seventeen degrees West thirty-nine perches to a stake on the side of said lane and thence along the same North seventy-three degrees West thirty-two and two tenths perches to the place of beginning. Containing seven acres one hundred and fifty-five perches.

Acknowledged April 10th, 1798. Recorded May 15th, 1798, in Deed Book D. No. 68 page 591 &c.

No. 36

1799
July 19

Examined
Record

DEED.- John Cook to Andrew Diehl in fee for a messuage and lot of land being the Easternmost part of the said tract of fifteen acres twenty-four perches situate on the North side of the said two perch wide road or lane. Beginning at a post on the side of the said road a corner of land late of Henry Sûss and then of Catharine Rash thence by same North nineteen degrees East thirty-nine perches to a stake thence by land then or late of Thomas Ketland North seventy-one degrees West twenty-nine perches to a stake corner of other land granted by the said

John Cook to the said Andrew Diehl thence by the same South nineteen degrees West thirty-nine perches or thereabouts to a stake on the side of the said road thence along the same South seventy-one degrees East thirty perches or thereabouts to the place of beginning. Containing seven acres and twenty-nine perches.

Acknowledged same day. Recorded July 31st, 1799, in Deed Book D. No. 77 page 232 &c.

Proceedings were had in the Court of Common Pleas upon a judgment obtained against Andrew Diehl.

DOCKET ENTRIES
June, 1808.

No. 37		
Meredith 88	Margaret Whitehead executor of Richard Whitehead assignee of John Cook *vs.* Andrew Diehl Cogn; Aug. 10th, 1808, Coran Chas. Biddle	And now the defendant by William Meredith his attorney comes and confesses judgment to the plaintiff for the sum $2133.⅓ debt besides costs &c. August 10th, 1808 Judgment

id	Same	Fi. fa. (D. S. B. J. 1808, No. 88)
88	*vs.*	
	Same	Levied and condemned
	Ex. August 10th	

December, 1808

id	Same	Vend. ex. (S. 1808, 88)
8	*vs.*	Sold to Wm. Meredith for $4270.-
	Same	

No. 38
1808
October 17
Examined
Record

DEED POLL.- William T. Donaldson Esquire Sheriff to William Meredith in fee for a tract of land containing twenty-eight acres eighty-one perches composed of three tracts two of them being the said above mentioned two tracts of seven acres one hundred and fifty-five perches and seven acres twenty-nine perches and separately described in this deed.

Acknowledged in open Court of Common Pleas November 28th, 1808, and entered among the records thereof in Book F. page 11 &c.

No. 39
1815
February 1

DEED.- William Meredith and wife to William White in fee for said last mentioned premises.

NOTE: — Recited in next Sheriff's Deed also in the next recited mortgage.

No. 40
1815
February 1
Satisfied
Oct. 2nd 1826

MORTGAGE.- William White to Josiah Hewes for inter alia the said last mentioned premises in Mortgage to secure payment of $2200.- with interest.

Recorded February 25th, 1815, in Mortgage Book I. C. No. 13 page 548 &c.

No. 41
1816
9th mo. 24th,
1819 5th mo.
1st
Examined
Record

WILL of Josiah Hewes.

Codicil to Will whereby he appointed William Meredith, Isaac Hawey, Jr. and Josiah Hewes Lownes executors.

Proved August 21st and 22nd, 1821. Registered at Philadelphia in Book No. 7 page 340 &c.

No. 42
1821
December 17
Examined
Record

ASSIGNMENT of the said Mortgage by said executors to Abigail Cooper.

Recorded in Mortgage Book I. H. No. 4 page 79 &c.

Proceedings were had in the District Court on the said Mortgage.

DOCKET ENTRIES
June Term, 1826.

No. 43		
Wood	Abigail Cooper special assignee of Wm. Meredith, Isaac Hawey Jr. and Josiah H. Lownes executor of Josiah Hewes dec'd	Sci. fa. sur Mortgage ex. April 1st, made known to defendant and to Charles Dewes and Samuel Wise terre tenants June 16th, 1826. By order of plaintiffs attorney filed Judgment by default for want of an appearance
124	*vs.*	June 16th, 1826 Judgment
	William White with notice to terre tenants Lev. fac. to S. 26, 76	

September 1826.

id	Same	
76	*vs.*	Lev. facias (J. 26, 124) Real debt $2224.- Interest from August 1st, 1824.
	Same	
June 26th "Sold to the Farmers and Mechanics Bank for $2900.-		

No. 44

1826
September 4

Examined
Record

DEED POLL.- John Douglass Esquire Sheriff to "The Farmers and Mechanics Bank" in fee for inter alia the said two last above mentioned tracts of land.

Acknowledged in open District Court September 12th, 1826, and entered among the records thereof in Book D. page 521 and also Recorded in Recorder's Office in Deed Book G. W. R. No. 10 page 499 &c.

Act of Assembly of 16th March, 1809, the said The Farmer's and Mechanics Bank was incorporated to continue until May 1st, 1824.

And by Act of 25th March, 1824, the said bank was rechartered to continue until the 1st May, 1844, with power to hold such lands tenements and hereditaments as should be requisite for its accommodation in the convenient transaction of its business and such as should be bona fide mortgaged or conveyed to it in satisfaction of debts previously contracted in the course of its dealings or purchased at sales upon judgments of any person or body politic when the same might be necessary to secure any debt to the said corporation.

It appears by the dockets of the Supreme Court that judgment was obtained 15th December, 1825, upon an award of arbitrators on a sci. fa. to revive of March Term, 1825, No. 7 by the said bank against William White for the sum of $5,404.31.

No. 45

1826
November 10

Examined
Record

DEED POLL Endorsed.- The Farmers and Mechanics Bank to Samuel Rowland Fisher in fee for inter alia the said two lots of land.

Acknowledged by President of Bank. Recorded November 14th, 1826, in Deed Book G. W. R. No. 10 page 502 &c. and re-recorded (after probate by one of the subscribing witnesses) September 22nd, 1857, in Deed Book R. D. W. No. 145 page 523 &c.

No. 46

1834
June 20

Examined
Record

ORPHANS' COURT.- The petition of Thomas Fisher was presented setting forth that the said Samuel R. Fisher died intestate leaving issue one son the said petitioner one daughter Deborah F. the wife of William Wharton and one grand child an infant of about three years old Samuel F. Corlies. That the intestate died seized of certain real estate in the said petition described (including the above described three tracts of land) and praying the Court to appoint the seven persons therein named an inquest to make partition of said real estate. Whereupon the Court on due consideration awarded the inquest accordingly.

Orphans' Court Docket 34 page 73 &c.

No. 47

1834
August 30

Examined
Record

ORPHANS' COURT.- Petition of the said Thomas Fisher, William Wharton and Deborah F. his wife and Jacob W. Corlies guardian of Samuel Fisher Corlies praying that the aforesaid order for an inquest might be rescinded and that the aforesaid seven men therein named might be appointed to make the partition according to the Act of Assembly &c.

Whereupon the Court granted the prayer of the said petitioners.

Docket No. 34 page 123 &c.

No. 48

1834
October 17

Examined
Record

Return of the aforesaid seven men to the said Court setting forth that in pursuance of the said order they had parted and divided the premises in the said petition mentioned into three equal parts. And one equal third part thereof composed of the premises therein described in which was included the aforesaid three several tracts of land they had allotted and assigned to Deborah F. Wharton to be held by her and her heirs in severalty as and for her full share and purpart of and in said premises. Whereupon the Court confirmed the said return.

Orphans' Court Docket No. 34 page 167 &c.

The said William Wharton has since departed this life.

No. 49
1871
May 18

ACT OF ASSEMBLY of the Legislature of Pennsylvania vacating Hart Lane and vesting the title to the soil over which the same passes in the several owners of the ground fronting on the said lane respectively. Pamphlet Laws 1871, page 895 &c.

No. 50
1872
March 12
Produced and Examined

DEED.- Deborah F. Wharton to Joseph M. P. Price in fee for the second described premises in question at the head of this Brief being part of the said three tracts of land and all her right title and interest in Hart Lane.

Acknowledged same day. Recorded March 22nd, 1872, in Deed Book J. A. H. No. 230 page 142 &c.

No. 51
1872
December 5
Produced and Examined

DEED.- Joseph M. P. Price and Emily M. his wife to William M. Seyfert in fee for all that lot or square of ground situate in the Twenty-eighth formerly Twenty-first Ward of the said City of Philadelphia. Beginning at the Northwest corner of Huntingdon Street and Twenty-second Street thence extending along the West side of said Twenty-second Street Northward one hundred and fifty feet to Harold Street (being a forty feet wide Street laid out by Joseph M. P. Price for public use between Twenty-second and Twenty-third Streets the South side thereof being at the distance of one hundred and fifty feet North of said Huntingdon Street) thence extending along the South side of said Harold Street Westward four hundred

feet to Twenty-third Street thence extending along the East side of said Twenty-third Street Southward one hundred and fifty feet to said Huntingdon Street and thence extending along the North side of said Huntingdon Street Eastward four hundred feet to the West side of said Twenty-second Street and place of beginning. (Being parts of both of said large tracts and of the soil of Hart Lane). And also all that certain lot or square of ground situate in the said Ward. Beginning at the Northwest corner of said Harold Street and Twenty-second Street thence extending along the West side of said Twenty-second Street Northward one hundred and twenty feet to Showaker Street thence extending along the South side of said Showaker Street Westward four hundred feet to Twenty-third Street thence extending along the East side of said Twenty-third Street Southward one hundred and twenty feet to said Harold Street and thence extending along the North side of said Harold Street Eastward four hundred feet to the West side of said Twenty-second Street and place of beginning. With the free and common use and privilege of the said Harold and Showaker Streets forever. (Being part of the "Wharton" tract).

Duly executed. Acknowledged December 5th, 1872, and Recorded December 10th, 1872, in Deed Book F. T. W. No. 10 page 186 &c.

No. 52

1873
January 24

Produced
and
Examined

DEED.- Joseph M. P. Price and Emily M. his wife to William M. Seyfert in fee for all that certain lot or square of ground situate in the Twenty-eighth Ward. Beginning at the Northwest corner of Huntingdon Street and Twenty-third Street thence extending along the West side of said Twenty-third Street Northward one hundred and fifty feet to Harold Street thence extending along the South side of said Harold Street

Westward four hundred feet three inches to Twenty-fourth Street thence extending along the East side of said Twenty-fourth Street Southward one hundred and fifty feet to said Huntingdon Street and thence extending along the North side of said Huntingdon Street Eastward four hundred feet three inches to the West side of said Twenty-third Street and place of beginning. (Being part of both of said large tracts and of the soil of Hart Lane).

And also all that certain lot or square of ground situate in the Twenty-eighth Ward aforesaid. Beginning at the North-west corner of said Harold Street and Twenty-third Street thence extending along the West side of said Twenty-third Street Northward one hundred and twenty feet to Show-aker Street thence extending along the South side of said Showaker Street Westward four hundred feet three inches to Twenty-fourth Street thence extending along the East side of said Twenty-fourth Street Southward one hundred and twenty feet to said Harold Street and thence extending along the North side of said Harold Street Eastward four hundred feet three inches to the West side of Twenty-third Street to the place of beginning. With the free and common use and privilege of the said Harold and Showaker Streets. (Being part of the said "Wharton" tract and also small part of the soil of Hart Lane.)

Duly executed and acknowledged same day and Recorded February 6th, 1873, in Deed Book F. T. W. No. 15 page 429 &c.

No. 53

1873
August 23

Produced
and
Examined

DEED.- Joseph M. P. Price and Emily M. his wife to Francis X. Kelly in fee for all that lot or square of ground situate on the South side of Lehigh Avenue East side of Twenty-third Street and West side of Twenty-second Street and North side of Showaker Street in the Twenty-eighth Ward of the said City of Philadelphia. Containing in front or breadth on said Lehigh Avenue and Showaker Street four hundred feet and on Twenty-second and Twenty-third Streets respectively one hundred and seventy feet.

Also all that lot or square of ground situate on the South side of said Lehigh Avenue North side of said Showaker Street East side of Twenty-fourth Street and West side of said Twenty-third Street. Containing in front or breadth on said Lehigh Avenue and Showaker Street four hundred feet and three inches respectively and on Twenty-third and Twenty-fourth Streets one hundred and seventy feet respectively.

Also all that lot or square of ground situate on the South side of said Lehigh Avenue North side of said Showaker Street East side of Twenty-fifth Street and West side of said Twenty-fourth Street. Containing in front or breadth on said Lehigh Avenue and Showaker Street respectively four hundred feet nine and one half inches and on Twenty-fourth and Twenty-fifth Streets respectively one hundred and seventy-feet.

Also all that lot or square of ground situate on the South side of said Showaker Street East side of said Twenty-fifth Street West side of said Twenty-fourth Street and North side of Harold Street. Containing in front or breadth on said Showaker and Harold Streets respectively four hundred feet nine and one half inches and on Twenty-fourth Street and

Twenty-fifth Street respectively one hundred and twenty-feet.

And also all that certain lot or square of ground situate in the said Ward. Beginning at the Southwest corner of Lehigh Avenue and Twenty-fifth Street thence extending along the South side of said Lehigh Avenue Westward one hundred and ninety-seven feet four and seven eighths inches to a point in line of land of John Rusk thence by the same South sixteen degrees twenty-two minutes West two hundred and sixty-four feet four and one half-inches more or less to a point in the middle of Hart Lane now vacated thence Southwardly about sixty-six feet more or less to a point in the Northerly side of said Harold Street thence Eastward along the same about two hundred and eighteen feet to the West side of said Twenty-fifth Street and thence along the same Northward three hundred and thirty feet to the said Lehigh Avenue and place of beginning.

The said premises first, second and third above described being parts of the "Wharton" tract and the premises fourth and fifth above described being also part of said tract: also of part of the Titlow Tract and of part of the soil of Hart Lane with the free and common use and privilege of said Harold and Showaker Streets.

Under and subject as respects the portions of the said premises fronting on the said Lehigh Avenue to the express agreement that the said Francis X. Kelly his heirs and assigns shall not within the space of ten years from the 30th day of December A. D. 1872, build erect put up or construct or suffer or permit to be built erected put up or constructed any building fronting on the said Lehigh Avenue which shall at the time of the completion and finishing thereof be of a less value than three thousand dollars.

Duly executed and acknowledged same day and Recorded September 25th, 1873, in Deed Book F. T. W. No. 78 page 202 &c.

No. 54

1873
August 23

Produced
and
Examined

DEED.- Francis X. Kelly and Mary A. his wife to William M. Seyfert in fee for the said five lots or squares of ground described in the last stated deed under and subject to the said restriction as to buildings fronting on Lehigh Avenue and also under and subject to the payment of ten certain mortgage debts viz: three of eight thousand five hundred dollars three of five thousand dollars each one of four thousand five hundred dollars two of four thousand dollars each and one of two thousand dollars respectively secured on the parts and portions of said premises particularly described in each Indenture of Mortgage all of which are given and executed by Francis X. Kelly to Joseph M. P. Price dated August 23rd, 1873.

Duly executed and acknowledged same day and Recorded September 25th, 1873, in Deed Book F. T. W. No. 78 page 187.

No. 55

1874
January 10

Produced
and
Examined

DEED.- William M. Seyfert and wife to Dr. Samuel H. Harry in fee for the square of ground bounded North by Showaker Street South by Harold Street East by Twenty-third Street and West by Twenty-fourth Street. Being part of said last described tract. Together with the free and common use of both said Harold and Showaker Streets.

Acknowledged same day. Recorded April 6th, 1874, in Deed Book F. T. W. No. 115 page 413 &c.

No. 56 1874 April 1	DEED.- Dr. Samuel H. Harry to David P. Mitchell in fee for the same premises. Acknowledged same day. Recorded April 6th, 1874, in Deed Book F. T. W. No. 115 page 375.

Searches

On examination of the Judgment Index of the District Court for the City and County of Philadelphia from January 1st A. D one thousand eight hundred and seventy-four (1874) to the twenty-fourth day of July one thousand eight hundred and seventy-four (1874) I find no unsatisfied Judgments entered therein within that period against

SAMUEL H. HARRY
DAVID P. MITCHELL

Certified by CHAS. P. LYLE
pro Proth'y

[SEAL]

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia from January 1st A. D. one thousand eight hundred and seventy-four (1874) to the eighth day August one thousand eight hundred and seventy-four (1874) I find no unsatisfied Judgments entered therein within that period against

SAMUEL H. HARRY
DAVID P. MITCHELL

Certified by STEPHEN COULTER, JR.
pro Proth'y

[SEAL]

I do certify that on examining the Judgment Index of the Supreme Court of Pennsylvania for the Eastern District from January 1st, 1874, to the seventh day of August (1874) one thousand eight hundred and seventy-four I find no un-

satisfied Judgments entered within that period against

SAMUEL H. HARRY
DAVID P. MITCHELL

JAMES L. BROWN
pro Prothonotary

[SEAL]

UNITED STATES
EASTERN DISTRICT OF PENNSYLVANIA } *ss.*

I, Gilbert R. Fox, Clerk of the District Court of the United States for the Eastern District of Pennsylvania certify that there are no unsatisfied Judgments remaining on record in my office obtained against

SAMUEL H. HARRY *or*
DAVID P. MITCHELL

Since January 1st, 1874.

Philadelphia this eighth day of August A. D. 1874.

JONH B. BEAVER
pro Clerk District Court

[SEAL]

UNITED STATES
EASTERT DISTRICT OF PENNSYLVANIA } *sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States in and for the Eastern District of Pennsylvania do hereby certify that there are no unsatisfied Judgments remaining on record in my office obtained against

SAMUEL H. HARRY

DAVID P. MITCHELL

Since January 1st, 1874.

Philadelphia this eighth day of August A. D. 1874.

JOHN B. BEAVER

[SEAL] *pro Clerk*

COURT OF QUARTER SESSIONS OF THE PEACE
FOR THE CITY AND COUNTY OF PHILADELPHIA

I certify that I have examined the Records of the aforesaid Court for five years past and do not find any unsatisfied Judgments against

SAMUEL H. HARRY
DAVID P. MITCHELL

[SEAL] R. S. GARRISON

pro Clerk

August 24th, 1874.

All that certain piece or square of ground situate in the Twenty-eighth Ward of the City of Philadelphia. Beginning at the Northwest corner of Twenty-third Street and Harold Street (said Harold Street being at the distance of one hundred and fifty feet North of Huntingdon Street) thence extending Northward along the West side of Twenty-third Street one hundred and twenty feet to Showaker Street thence Westward along the South side of said Showaker Street four hundred feet three inches to Twenty-fourth Street thence Southward along the same one hundred and twenty feet to said Harold Street and thence Eastward along said Harold Street four hundred feet three inches to said Twenty-third Street and place of beginning.

To the Register of Taxes.

Please certify all unpaid taxes registered against the above premises

McLean & Scott

On examining the Register of Unpaid Taxes I find nothing against the above described premises for the years 1869 to 1873 inclusive.

J. Nuttall

[SEAL] *Reg. Cl'k*

On searching the Index of Claims in the City Solicitor's office I find nothing against above described premises.

S. Max. McIntyre

[SEAL] *pro Cl'k*

August 6th, 1874.

On searching the Locality Index of the Court of Common Pleas I find nothing against the within since Aug. 1st, 1869.

W. S. Johnson

[SEAL] *pro Proth'y*

August 6th, 1874.

On searching the Locality Index of the District Court I find nothing against the above since August 1st, 1869.

D. B. Baker

[SEAL] *pro Proth'y*

All that certain piece or square of ground situate in the Twenty-eighth Ward of the City of Philadelphia. Beginning at the Northwest corner of Twenty-third Street and Harold

Street (said Harold Street being at the distance of one hundred and fifty feet North of Huntingdon Street) thence extending Northward along the West side of Twenty-third Street one hundred and twenty feet to Showaker Street thence Westward along the South side of Showaker Street four hundred feet three inches to Twenty-fourth Street thence Southward along the same one hundred and twenty feet to said Harold Street and thence Eastward along the said Harold Street four hundred feet three inches to said Twenty-third Street and place of beginning.

To the Recorder of Deeds.

Please certify all mortgages of the above premises or any part thereof given and executed by

The Farmers and Mechanics Bank
July 1st, 1826 to November 15th, 1826
Samuel R. Fisher November 1st, 1826 to March 23rd, 1872
Deborah F. Wharton January 1st, 1830 to March 23rd, 1872
William M. Seyfert December 1st, 1872 to April 7th 1874
Samuel H. Harry January 1st, 1874 to April 7th, 1874
David P. Mitchell since March 25th, 1874
Joseph M. P. Price March 1st, 1872 to February 8th, 1873

McLean & Scott

On searching the Index of Mortgages for the City and County of Philadelphia I find no unsatisfied mortgages of the above described premises or any part thereof given by either of the seven parties above named within the periods specified except fifty-two by William M. Seyfert to Joseph M. P. Price January 24th, 1873, for four thousand three hundred dollars ($4,300.-) each. Fifty by David P. Mitchell to Samuel H. Harry dated April 1st, 1874, four of them for

two thousand dollars ($2000.-) each six of them for seventeen hundred dollars ($1,700.-) each six of them for sixteen hundred dollars ($1,600.-) each and the remaining thirty-four (34) for one thousand dollars ($1000.-) each.

Witness my hand and seal of office this twenty-fifth day of July A. D. 1874.

GEORGE W. SAYRE
pro Recorder

[SEAL]

Brief of Title

TO

GROUND BELONGING

TO

THE DEVISEES UNDER THE WILL

OF

JACOB S. WALN DEC'D

PHILADELPHIA
SIDDALL BROTHERS PRINTERS

1877

Brief of Title

TO

GROUND BELONGING

TO

THE DEVISEES UNDER THE WILL

OF

JACOB S. WALN DEC'D

PHILADELPHIA
SIDDALL BROTHERS PRINTERS

1877

Brief of Title

TO

A tract of land containing fifty-seven acres forty-four and sixty-five hundredths square perches (according to a survey made November 27th, 1852, by James P. Davis esquire City Surveyor) situate on the easterly side of Germantown Avenue in the Twenty-fifth Ward of the City of Philadelphia and intersected by Indiana and Clearfield Streets, Allegheny Avenue and Westmoreland Street and by Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, and other Streets —

Belonging to the devisees under the will of Jacob S. Waln deceased.

1684
4th mo. 25th

No. 1

Examined
Record

PATENT.- William Penn Proprietary and Governor of the Province of Pennsylvania to Thomas Rudyard in fee for a tract of eighty acres of land lying and being in the Liberties of Philadelphia. Beginning at a corner post standing by the line of Enoch Flower's land and running south southeast by back lots one hundred and thirteen perches to a corner marked stake then east northeast by vacant land one hundred and thirteen perches to a marked sapling oak thence north northwest by vacant land one hundred and thirteen perches to a corner marked poplar standing by the side of a small run of water from thence west southwest by vacant land one hundred and thirteen perches to the first mentioned post.

Recorded Sixth Month 29th, 1685, in Patent Book

A vol. 1 page 97, and in Exemplification Records No. 1 page 79.

1685
July 15th

No. 2

Examined
Record

DEED.- Thomas Rudyard to Andrew Robeson in fee for (inter alia) said eighty acres of land.

Acknowledged in open County Court at Philadelphia, August 5th, 1685.

Recorded October 9th, 1685, in Deed Book E No. 1 vol. 5 page 117.

1689
8th month
October 12th
No. 3
Produced

DEED.- Andrew Robeson to Griffith Jones in fee for said eighty acres of land.

Acknowledged in open County Court at Philadelphia, October 15th, 1689.

Recorded April 20th, 1877, in Deed Book D. H. L. No. 75 page 322 &c.

1698
1st mo. 10th
No. 4
Recited
in No. 13

DEED POLL.- Griffith Jones to Nicholas Waln (first) in fee for (inter alia) the said eighty acres of land.

1688
1st mo. 29th

No. 5

Examined
Record

PATENT.- William Penn, Proprietary and Governor of the Province of Pennsylvania by his commissioners William Markham and John Goodson to Silas Crispin in fee for a tract of forty acres of land lying and being in the Liberties of Philadelphia beginning at a corner post being a corner of Thomas Rudyard's land from thence

running east northeast by the same land one hundred and thirteen perches to a corner post thence south southeast by a line of trees along by a street or road fifty-six and one half perches thence west southwest by a line of trees one hundred and thirteen perches from thence north northwest by a line of trees fifty-six and one half perches to the place of beginning.

Recorded May 11th, 1697, in Patent Book A vol. 1 page 340, and in Exemplification Records No. 1 page 253.

1695
4th month
June 20th

No. 6

Examined
Record

DEED POLL ENDORSED.- Silas Crispin to Nicholas Rideout in fee for said forty acres of land.

Acknowledged in open Court held at Philadelphia, September 5th, 1695, Recorded with the above Patent May 11th, 1697, in Patent Book A vol. 1 page 340, and in Exemplification Records No. 1 page 254 &c.

1696
3rd mo. 31st

No. 7

Examined
Record

DEED POLL.- Nicholas Rideout to Nicholas Waln (first) in fee for said forty acres of land.

Acknowledged in open Court held at Philadelphia, September 3rd, 1696, Recorded September 16th, 1696, in Deed Book E No. 2 vol. 5 page 338.

No. 8

By virtue of a warrant from the Proprietary of the Province of Pennsylvania to the Surveyor General dated third month 29th, 1684, there was surveyed the same day unto Christopher

Taylor eighty acres of land in the Liberties of Philadelphia. Beginning at a corner post of James Harrison's land thence east northeast by the same one hundred and thirteen perches thence north northwest by a line of trees one hundred and thirteen perches thence west southwest by Silas Crispin's land one hundred and thirteen perches thence south southeast by William Stanley's land one hundred and thirteen perches to the place of beginning.

1691
May 27th
No. 9
Recited in
No. 12

PATENT.- William Penn, Proprietary and Governor-in-Chief of the Province of Pennsylvania by his commissioners to Christopher Taylor for said eighty acres of land.

No. 10

Recited in
No. 12

The said Christopher Taylor sold the said eighty acres of land to Thomas Lloyd his heirs and assigns forever.

1694
7th mo. 10th

No. 11

Examined
Record

LAST WILL AND TESTAMENT of Thomas Lloyd wherein and whereby he did give unto his executors or any two of them and to the survivor or survivors of them full power and authority to sell dispose and convey all his estate right title and interest of in and to all or any part of the lands tenements and hereditaments whatsoever situate in New York, Pennsylvania or elsewhere in America belonging or in anywise appertaining unto him to hold to such person or persons as should buy the same in fee simple or otherwise. And of his said will he did appoint his wife Patience Lloyd his son Mordecai Lloyd his

son-in-law Isaac Norris and his kinsman David Lloyd executors.

Duly proved October 22nd, 1694.
Recorded in Will Book A page 267.

NOTE: — The said Patience Lloyd having by writing filed renounced the executorship of the said will, letters testamentary were duly granted to the other executors therein named October 22nd 1694.

1697
3rd mo. 20th

No. 12

Examined
Record

DEED POLL.- David Lloyd and Isaac Norris two of the executors of Thomas Lloyd deceased to Nicholas Waln (first) in fee for said eighty acres of land.

Acknowledged in open Court held at Philadelphia September 10th, 1697. Recorded 12th month 7th, 1697 - 8, in Deed Book E 3 vol. 5 page —— and in Exemplification Records No. 7 page 99.

1703
11th month
January 24th

No. 13

Examined
Record and
Patent
Produced

PATENT OF CONFIRMATION.- William Penn Proprietary and Governor in Chief of the province of Pennsylvania by his deputies Edward Shippen, Griffith Owen, Thomas Story and James Logan to Nicholas Waln (first) in fee for a tract of land (including inter alia the three tracts of land above mentioned) situate in the Liberties aforesaid beginning at a stake in the Free Society's land thence by the line of said Society's land northwest by west one hundred and twelve perches to a post then by Griffith Jones's land west southwest one hundred and sixty perches to a post then by the said Griffith Jones's land north

northwest seventy-four perches to a post then west southwest thirty-nine perches to a tree then by the said Griffith Jones's land south eighty-eight degrees west one hundred and thirty-seven perches then south southeast sixty-two perches then west southwest sixty-four perches to a post thence north northwest one hundred and fourteen perches then west southwest sixty-nine perches then by John Mitchener's land south southeast eighty-five perches then by the said John Mitchener's land west southwest one hundred and eleven perches to a post then south southeast fifty-four perches to a post then north sixty degrees east forty perches south sixty-five degrees east forty-four perches south eighty-four degrees east eighty-four perches north sixty degrees east twenty-eight perches south eighty-four degrees east twenty-seven perches south thirty-four degrees east thirty perches to a white oak then east twenty-two perches to a Spanish oak then east northeast seventy-four perches to a hickory tree then south southeast thirty-three perches to a post then by Neal Layton's east northeast fifty perches to a creek then by the said creek one perch to a post then north northwest twelve perches then east northeast two hundred and forty-six perches to the place of beginning. Containing five hundred and twenty acres of land.

Recorded 1st month 3rd, 1704, in Patent Book A vol. 2 page 651 &c. and in Exemplification Records No. 1 page 548 &c.

1721 - 2
11th month
January 30th
No. 14

Examined
Record

LAST WILL AND TESTAMENT of Nicholas Waln (first) wherein and whereby he did give and bequeath unto his wife Jane Waln the sum of eight pounds current money of Pennsylvania to be paid yearly and every year during her natural life out of his messuage or tenement and plantation where

he then dwelt, by his son Nicholas Waln and he did give and bequeath unto his said son Nicholas all his said messuage or tenement plantation and three hundred acres of land and appurtenances thereunto belonging (be the same more or less) to hold to him his heirs and assigns forever.

Yielding and paying the said eight pounds per annum unto his the said testator's wife during her life as aforesaid.

Duly proved March 19th 1721 - 2.

Recorded in Will Book D page 304 &c.

1721 - 2
12th month
February 6th

No. 15

Examined
Record

LAST WILL AND TESTAMENT of Nicholas Waln (second) wherein among other things he did will as follows: — "Item "my will is that all the rest and residue of "my estate both real and personal be sold "by my executors and the price or value "thereof equally divided and paid to my "mother and my brothers and sisters and I "do hereby give my executors full power "and lawful authority to sell and dispose of "all my real estate to such person or persons as they may "think convenient to sell the same to and to make a good "sure and lawful title to the same to hold to them their "heirs and assigns forever." And he did make and appoint his mother (Jane Waln) and brother Richard Waln executors of his said will and testament.

Duly proved March 19th, 1721 - 2.

Recorded in Will Book D page 305 &c. and Letters Testamentary granted to said Jane Waln and Richard Waln the executors above named.

TITLE TO TRACT No. 1 PLAN B

Containing 244½ acres 13 perches

1724
June 15 - 16

No. 16

Recited
in No. 17

LEASE AND RELEASE.- Jane Waln and Richard Waln to William Waln his heirs and assigns for all that tract or parcel of land situate lying and being in the Northern Liberties of the City of Philadelphia beginning at a corner of Isaac Norris's land thence north twenty-four degrees west by the said Isaac Norris's land eighty-five perches to a double poplar thence north sixty-six degrees east by Joseph Jones's land one hundred and fourteen perches to a corner thence south southeast one hundred and fourteen perches to a corner thence east northeast nineteen perches to a corner thence north northwest sixty-two perches to a post thence north eighty-eight degrees east one hundred and fifty perches to a post — this distance is not correct the part conveyed in 1709 by Nicholas Waln to Richard Waln (thirty-four perches in length) should have been taken off — thence south thirteen degrees west fifty-six perches to a chestnut tree thence south thirty degrees west one hundred and twenty perches to a hickory thence south eleven degrees west sixty-two perches to a Spanish oak (the last three courses being bounded by the said Richard Waln's land) thence south seventy-two degrees west seven perches to a Spanish oak thence north eighty-five degrees west nineteen perches to a gum tree thence north twenty degrees west ——— to a black oak thence north sixty-five degrees west fifty-eight perches to a hickory thence west forty-three perches to a post (the last

five courses being bounded by the land of James Tuthill) thence by a direct line of marked trees by part of the same land to the first mentioned post the place of beginning. Containing two hundred and forty-four and one half acres and thirteen perches (being part of the said last mentioned tract of three hundred acres of land).

1724
August 3rd

No. 17

Examined
Record

INDENTURE OF MORTGAGE.- William Waln to Richard Waln (first) his heirs and assigns for the said two hundred and forty-four and one half acres and thirteen perches of land to secure the payment of one hundred and eighty-four pounds current money of Pennsylvania on the first day of the month called March next after the decease of the said Jane Waln and the annual sum of eleven pounds during the natural life of the said Jane Waln.

Duly executed. Acknowledged September 26th, 1724.

Recorded October 7th, 1724, in Deed Book F No. 4 page 261 &c.

1726
May 25th
No. 18
Recited
in No. 21

DEED.- William Waln and wife to the said Richard Waln (first) in fee for the same premises.

TITLE TO TRACT No. 2 PLAN B

Containing 42 acres and 38 perches

1727
April 17th

No. 19

Produced
and
Examined

DEED.- Jane Waln and Richard Waln executors of the last will and testament of Nicholas Waln junior (second) to John Simcock in fee for a certain tract or parcel of land Situate in the said Northern Liberties of the City of Philadelphia beginning at a corner in the line of James Tuthill's land thence west four perches to a hickory thence north seventy-six degrees west seventeen perches to a post thence north fifty-four degrees west forty-three perches to a post thence south sixty degrees west forty perches to a corner marked Spanish oak standing on the bank of a run or rivulet commonly called the Three Mile Run bounded on all the aforesaid courses by the land of James Tuthill thence north twenty-four degrees west by Isaac Norris's land, fifty-four perches to a hickory thence north sixty-six degrees east by the said Isaac Norris's land one hundred and eleven perches to a post thence south six degrees east by a direct line dividing this from the other part of the same land one hundred and five perches to the first mentioned Spanish oak the place of beginning. Containing forty-two acres and thirty-eight perches being part of the above mentioned three hundred acres of land.

Duly executed. Not acknowledged.

Recorded April 20th, 1877, in Deed Book D. H. L. No. 75 page 311 &c.

1727
April 18th

No. 20

Examined
Record and
Deed
Produced

DEED.- John Simcock and Mary his wife to Richard Waln (first) in fee for said forty-two acres and thirty-eight perches of land.

Duly executed. Proved by one of the subscribing witnesses May 16th, 1764.
Recorded July 6th, 1764, in Deed Book H vol. 19 page 256.

NOTE: — The said Richard Waln (first) being thus seized of the said forty-two acres thirty-eight perches and of the said two hundred and forty-four and one half acres and thirteen perches sold and conveyed two hundred and fourteen acres thereof by the next mentioned deed to his son Nicholas Waln (third).

1736
August 7th

No. 21

Examined
Record and
Deed
Produced

DEED.- Richard Waln (first) to Nicholas Waln (third) the eldest son of the said Richard Waln in fee for a certain messuage plantation and tract of land thereunto belonging Situate in the Northern Liberties of the City of Philadelphia beginning at the end of a ditch on the south side of the road leading from Frankford to Germantown thence extending south eighty-seven degrees west sixty-eight perches to a post thence by Benjamin Mason's land south fifty-three degrees west one hundred and forty perches to a post thence south sixty-six degrees west by John Rigley's land one hundred and eight perches to a corner post thence south twenty-four degrees east fifty-seven perches by land late of George Fox to a Spanish oak marked thence by the

land of John Lacy north sixty degrees east forty perches to a white oak thence south fifty-five degrees east thirty-five perches to a post thence south seventy-five degrees east fourteen perches to a small hickory thence east sixty-eight perches and a half to a small hickory thence south sixty-five degrees east sixty perches to a black oak thence south twenty degrees west ten perches to a gum tree thence south eighty-five degrees east nineteen perches and a half to a Spanish oak thence north seventy-two degrees east by Jonathan Tatnall's land seven perches to a Spanish oak thence by other land of the said Richard Waln north four degrees east one hundred and twenty-seven perches to a post thence east northeast thirty-seven perches and a half to a post and thence along a ditch bank north eight degrees and a half west eighty-six perches to the place of beginning. Containing by computation two hundred and fourteen acres of land (including inter alia the said forty-two acres and thirty-eight perches and the greater part of the two hundred and forty-four and one half acres and thirteen perches above described).

Duly executed. Acknowledged August 7th, 1736. Recorded December 23rd, 1762, in Deed Book H vol. 16 page 340 &c.

1744
August 16th

No. 22

Examined
Record

LAST WILL AND TESTAMENT of Nicholas Waln (third) wherein and whereby he did will that his wife Mary should have and receive the rents profits and income of his messuages lands tenements and plantation whereon he then dwelt until his eldest son Richard should attain the age of twenty-one years And he did thereby charge the said messuages lands tenements and plantation with the payment of the sum of one hundred pounds lawful money of the Province of Pennsylvania unto his

daughter Ann her executors administrators or assigns on the day his said eldest son Richard should attain the age of twenty-one years with lawful interest from the day such payment should become due and subject to such payment and also to the payment of the sum of one hundred pounds unto his daughter Rebecca of the same money at the same time and in the same manner with interest he gave and devised the said messuages lands tenements and plantation whereon he then dwelt with the appurtenances (being the greater part of the said two hundred and fourteen acres of land) unto his said son Richard Waln his heirs and assigns forever.

Duly proved August 31st, 1744.
Recorded in Will Book G page 140 &c.

Recited in No. 23

The said Ann Waln died under the age of eighteen years. The said Richard Waln arrived at the age of twenty-one years and paid unto his sister Rebecca in behalf of her sister Ann the sum of one hundred pounds payable unto the said Ann and the further sum of one hundred pounds in her the said Rebecca's own right she the said Rebecca Waln being intermarried with Abraham Howell.

TITLE TO TRACT No. 1 PLAN C

Containing 20 acres

1760
May 2nd

No. 23

Examined
Record

DEED.- Richard Waln junior (second) (eldest son and heir at law of Nicholas Waln (third) deceased and also one of the devisees of his said father) to Jonathan Mifflin in fee for a certain piece or tract of land beginning at a stake set for a corner in Thomas Lawrence's land thence extending by the land of Benjamin Mason west southwest one hundred and seventy-one perches to another stake thence by the same north northwest twenty-two perches to another stake thence by the same south fifty degrees west thirty and a half perches to a stake at a corner of Robert Greenway's land thence by the same west southwest thirty-one perches to another stake in the line of said Greenway's and Richard Waln's thence by the land of said Richard Waln south twenty-six degrees east thirty-two perches to a marked Spanish oak thence by the same land south twenty-five and a half degrees east sixty-five perches to a corner stake standing in the line of Evan Morgan's land thence by the said Evan Morgan's land east sixty-three and eight tenths perches to another stake thence by the same land south sixty-five degrees east fifty-eight perches to a Spanish oak marked in the line of the same land thence south twenty degrees east ten perches to a gum tree marked in the same line thence south eighty-five degrees east nineteen perches and a half to a Spanish oak marked in the same line thence north seventy-two degrees east seven perches and a quarter to another Spanish oak marked thence north four degrees east

sixty-five perches by the land of the Widow Wilkin's to a stake thence by the same land north fifty-five degrees east sixty-one perches to another stake thence by Robert Waln's land north twenty-three degrees west nineteen perches and a quarter to another stake thence by the same north sixty degrees west thirty perches and a half to a stake thence by the same east north east twenty-one perches and three quarters to another stake in the line of the said Thomas Lawrence's land thence by the same land north eight degrees and a half west sixty-three perches to the place of beginning. Containing by computation one hundred and seventy-one acres (including inter alia part of the said two hundred and fourteen acres).

Duly executed. Acknowledged December 13th, 1762. Recorded June 10th, 1772, in Deed Book I vol. 10 page 432 &c.

1762 November 10

No. 24

Examined Record and Deed Produced

RELEASE.- Abraham Howell and Rebecca his wife to Richard Waln (second) his heirs and assigns releasing (inter alia) the last above described premises from the payment of the said two legacies bequeathed by the will of Nicholas Waln.

Duly executed. Acknowledged November 23rd, 1762.

Recorded July 26th, 1763, in Deed Book H vol. 16 page 484 &c.

1779 March 16th

No. 25

Examined Record

DEED OF GIFT.- Jonathan Mifflin to his son Samuel Mifflin in fee for said one hundred and seventy-one acres of land. Excepting and reserving thirty-two acres and thirty-seven perches which the said Jonathan Mifflin had conveyed to John Kearsley.

Duly executed. Acknowledged March 16th, 1779. Recorded July 7th, 1779, in Mortgage Book M No. 1 page 234.

NOTE: — The above mentioned exception of thirty-two acres and thirty-seven perches does not affect the premises in question.

1780 December 23 No. 26 Examined Record

LAST WILL AND TESTAMENT of Samuel Mifflin wherein and whereby he did give and bequeath unto his grandson Samuel Mifflin Francis when he should attain to the age of twenty-one years and assume and use the name and signature of Samuel Mifflin his plantation and tract of land called Walnut Hill between Fairhill Meeting and land late of Thomas Lawrence deceased and he did give to his wife Rebecca Mifflin the use rent or income of his plantation or tract of land where his father lately lived and which his father conveyed to him (the testator) by deed of gift Situate on Germantown Road in the Township of the Northern Liberties for and during the term of her natural life and from and immediately after her decease he did give and bequeath the same plantation unto his said grandson Samuel Mifflin Francis his heirs and assigns forever he assuming and using the name and signature of Samuel Mifflin.

Duly proved May 28th, 1781.
Recorded in Will Book R page 422 &c.

1798 January 24th No. 27 Examined Record

DEED.- Samuel Mifflin to Tench Francis junior in fee for the said one hundred and seventy-one acres (Excepting as aforesaid).

Duly executed. Acknowledged January 6th, 1798. Recorded December 27th, 1798, in Deed Book D No. 71 page 386.

1801
March 14th

No. 28

Examined
Record

DEED.- Tench Francis and Hannah his wife to Hugh Roberts and Samuel Mifflin their heirs executors administrators and assigns forever for inter alia the same premises (Excepting as aforesaid) upon special trust and confidence and to the sole intent and purpose that they the said Hugh Roberts and Samuel Mifflin or the survivor of them or the heirs executors or administrators of the survivor shall and do with all convenient speed grant bargain sell and absolutely convey and dispose of all and singular the aforesaid premises at public or private sale to the highest bidder or bidders for the best prices or rates that could be had or obtained for the same and the money arising from such sale or sales after all costs charges or expenses attending this trust being deducted and paid to apply towards the payment and discharge of all just debts then due and owing by the said Tench Francis.

Duly executed. Acknowledged March 19th, 1801. Recorded March 23rd, 1801, in Deed Book E. F. No. 6 page 291.

1802
May 22nd

No. 29

Examined
Record

DEED.- Hugh Roberts and Samuel Mifflin to John Smith junior William Waer and Nathaniel Waer in fee as tenants in common for the said one hundred and seventy-one acres (Excepting as aforesaid) containing according to a re-survey one hundred and forty-nine acres over and besides the said thirty-two acres and thirty-seven perches to hold to them in manner following that is to

say one moiety or half part thereof to the said John Smith junior one fourth part to the said William Waer and the other one fourth part thereof to the said Nathaniel Waer.

Duly executed. Acknowledged May 22nd, 1802. Recorded the same day in Deed Book E. F. No. 9 page 248.

1802
August 6th

No. 30

Examined
Record

DEED.- William Waer to John Smith junior in fee for inter alia all his the said William Waer's one equal undivided fourth part of and in the said one hundred and forty-nine acres of land.

Duly executed. Acknowledged August 9th, 1802.

Recorded August 28th, 1802, in Deed Book E. F. No. 8 page 701 &c.

1803
April 1st

No. 31

Examined
Record

DEED OF PARTITION.- John Smith junior and Elizabeth his wife of the one part and Nathaniel Waer and Elizabeth his wife of the other part whereby the said parties did make a full just equal perfect and absolute partition and division between them of and in inter alia the aforesaid tract of land and the said Nathaniel Waer did grant allot and assign unto the said John Smith junior and his heirs in severalty a piece or allotment beginning at a stone set for a corner being also a corner of Joseph Clark's land thence by said Clark's land north eighty-five degrees and a half east fifty-nine and six tenths perches to a corner thence by Doctor Kearsley's estate north twelve degrees and a half west thirty-eight and nine tenths perches and south eighty-four degrees and three quarters east fifty-

seven perches to a corner thence by Commodore Barry's land north eighty-three degrees and one quarter east thirty-nine and eight tenths perches to land thereinafter allotted to Nathaniel Waer thence by the same north twenty-seven degrees fifty minutes west one hundred and sixteen perches and two tenths to a corner in the line of Samuel W. Fisher's land thence by said Fisher's land south sixty-two degrees and a half west eighty-one and six tenths perches and north twenty-nine degrees and a half west twenty-two and three tenths perches and south eighty-four degrees and three quarters west thirty-one and two tenths perches to a corner thence by Thomas Rogers's land south sixty-two degrees west thirty and nine tenths perches to a corner thence by land of Richard Waln south twenty-six degrees and a half east thirty-three and two tenths perches and south twenty-five degrees and a half east sixty-six and two tenths perches to the place of beginning. Containing ninety-five acres and one hundred perches of land being part of the said one hundred and forty-nine acres and one hundred and thirty perches.

Duly executed. Acknowledged April 1st, 1803. Recorded May 11th, 1803, in Deed Book E. F. No. 13 page 131 &c.

NOTE: — The said John Smith junior sold part of the said ninety-five acres and one hundred perches and died seized of the remaining portion thereof containing twenty acres. See plan C.

1803
December 16
No. 32

LAST WILL AND TESTAMENT of John Smith junior appointing his wife Elizabeth, executrix.

Duly proved September 7th, 1805. Recorded in Will Book No. 1 page 362 &c.

Examined
Record

NOTE: — The said executrix appears to have subsequently assumed the name of Eliza Smith.

No. 33 } The said last mentioned twenty acres were afterwards sold under proceedings had in the Circuit Court of the United States for the Eastern District of Pennsylvania, the following being a copy of the Docket entries in the said proceedings: —

DOCKET No. 5
April Sessions, 1806

Ingersoll	JAMES McHENRY, *Esquire, citizen of the State of Maryland indorsee of Benjamin Stoddert, a citizen of the District of Columbia*	*Amicable action case entered per agreement filed 21 Nov 1805*
No. 7	*vs.*	
Reed Dallas	ELIZA SMITH, *citizen of the State of Pennsylvania executrix of John Smith junior who was also a citizen of the State of Pennsylvania*	

1805	Nov.	21	Narr. filed.
1806	May	13	Deft pleads Non assumpsit and payment with leave &c. Plff replies Non solvit and issue.
	Sept	5	Rule for trial.
	Oct	11	The deft adds the plea of debts of a higher nature and no assets beyond.

1806 Oct 18 Judgment confessed for the plaintiff according to the Act of Assembly.
1808 Jan'y 9 Costs paid.

EXECUTION DOCKET
October Sessions, 1807

SAME
vs.
SAME

Case No. 7
April Sessions 1806

1807 Oct 10 Exit fi. fa.
Real debt - - - $1900.-
Int from Aug 1, 1804 -
Costs - - - -
1807 Oct 12 vise comes non misit Breve

SAME DOCKET
October Sessions 1808

SAME
vs.
SAME

Case No. 7
April 1806

1808 Sep 19 Exit alias fi. fa.
Real debt - - - $1900.-
Int from 1 Aug 1804 -
Costs - - - -

SAME DOCKET
October Sessions 1809

Moylan — SAME — *vs.* — SAME

No. 21

Case No. 7
April 1806

1809 Aug 12 Exit pluries fi. fa.

Real debt - - -	$1900.-
Int from 1 Aug 1804 -	
Costs - - - -	

SAME DOCKET

SAME — *vs.* — SAME

Moylan

No. 3

Case No. 7
April 1806

1809 Oct 26 Exit Vend. exp.

Real debt - - -	$1900.-
Int from 1 Aug 1804 to 18 Oct 1806 -	
Int from thence - -	

1810
April 5th

Examined
Record and
Deed
Produced

No. 34

DEED POLL.- John Smith esquire Marshall of the District of Pennsylvania to Noble Caldwell Nelson in fee for the said twenty acres of land. Bounded southeastwardly by Joseph Clark's land southwestwardly by Richard Waln's land northwestwardly by a road laid out twenty-five feet wide leading from the Germantown Road to a road leading to Frankford and northeastwardly by land sold by John Smith junior to ——— Johnston.

Sold March 26th, 1810, by virtue of the above mentioned writ of venditioni exponas.

Duly executed. Acknowledged in open Circuit Court of the United States held at Philadelphia April 11th, 1810, and entered among the records thereof in Deed Book B page 506 &c.

No. 35

The said premises were afterwards sold under proceedings had in the Supreme Court of Pennsylvania for the Eastern District; the following being a copy of the Docket entries in the said proceedings: —

SUPREME COURT
Continuance Docket July, 1811

S. Levy

ROBERT ADAMS *and* JOHN LOUGHERY
trading under the firm of Adams & Loughery

A. S. B. Case

Bail $17000 entered June 10, 1811

No. 51

vs.

S. Ewing

NOBLE C. NELSON

Bail entered June 10th, 1811

19 June, 1811 Plaintiffs' attorney enters a rule for arbitration in this cause etc. Time to choose arbitrators 25 inst. at 10 o'clock a. m.

25 June, 1811 Plaintiffs attended and defendant's attorney having admitted service of the rule Wm. Allibone, Samuel F. Bradford and Thomas Latimer were appointed arbitrators to meet at Evans's Tavern, South Sixth St. on the 8th July next at 7 o'clock p. m.

10 July, 1811 Report filed awarding to the plaintiffs the sum of $9558.65 as justly due.

10 July, 1811 Judgment on report nisi.

25 July, 1811 Judgment absolute.

EXECUTION DOCKET
March 1812

Levy

. 17

SAME

vs.

SAME

Real debt now due - $4627.14
Int from 23 Aug 1811
Costs - - -

Alias fi. fa. Case

Exit Feb 18, 1812
Levied on real estate
Inquisition held and condemned.

SAME DOCKET
July 1812

evy

. 1

SAME

vs.

SAME

Real debt - - $4627.14
Int from 23 Aug 1811
Costs - - -

Vend. ex. case

Exit 20 March, 1812
Sold for $11500.- as per return and that he applied $7448.06 to the payment of prior incumbrances and $4059.94 residue thereof to the plaintiff in part payment of his damages costs and charges &c.

1812
April 7th

No. 36

Examined
Record and
Deed
Produced

DEED POLL.- Francis Johnston High Sheriff of the County of Philadelphia to Jacob S. Waln in fee for the said twenty acres of land.

Sold April 6th, 1812, by virtue of said writ of venditioni exponas.

Duly executed. Acknowledged in open Supreme Court held at Philadelphia July 27th, 1812, and entered among the Records thereof in Book C page 401.

TITLE TO TRACT No. 3 PLAN C

Containing 2¼ acres and 38 perches

No. 37

Recited
in No. 40

LEASE AND RELEASE.- William Penn true and absolute Proprietor and Governor to George Fox his heirs and assigns forever for one thousand two hundred and fifty acres of land.

No. 38

Recited
in No. 40

By virtue of certain concessions granted by the said Proprietor and Governor to the first purchasers, the said George Fox became entitled inter alia to take up twenty acres in the City Liberties, but the said George Fox afterwards died without having taken up the said Liberty land.

1705
5th mo. 16th

No. 39

Recited
in No. 40

Samuel Carpenter, Anthony Morris and Richard Hill having a just and legal claim in right of the said George Fox to the said twenty acres of the said Liberty land, procured a warrant from the Commissioners of Property or Proprietary Deputies for the laying out of the same. In pursuance whereof there was surveyed to the said Samuel Carpenter, Anthony Morris and Richard Hill in the right aforesaid inter alia a certain parcel of land in said Liberties. Containing twenty acres and fully described in the next mentioned patent.

1705
6th month
August 28th

No. 40

Examined
Record

PATENT.- William Penn Proprietary and Governor in Chief of the Province of Pennsylvania by his Commissioners Edward Shippen, Griffith Owen and James Logan to Samuel Carpenter, Anthony Morris and Richard Hill in fee for inter alia a certain parcel of land Situate in the Northern Liberties of the City of Philadelphia beginning at a post corner of Arnold Cassell's land thence by the said Cassell's land and the land of Fairhill Meeting House east northeast fifty-six perches to a second post then north northwest by the line of Nicholas Waln's land fifty-six and one half perches to a third post then west southwest fifty-six perches to a fourth post then by the line of John Mitchener's land south southeast fifty-six and one half perches to the beginning. Containing twenty acres of land.

Recorded 7th month 1st, 1705, in Patent Book A vol. 3 page 123 and in Exemplification Records No. 1 page 611 &c.

No. 41
Recited
in No. 47

NOTE: — The said Richard Hill survived the said Samuel Carpenter and Anthony Morris.

1729
August 28th

No. 42

Examined
Record

LAST WILL AND TESTAMENT of Richard Hill wherein and whereby after various specific devises and pecuniary and other legacies he did give devise and bequeath the residue and remainder of his estate real and personal unto his executors therein named and to the survivors and survivor of them in trust to collect and receive the rents issues and profits of said residue and pay the same as therein mentioned until his kinsman Richard Hill (son of the said testator's nephew Richard Hill) should attain the age of twenty-one years and thereupon he gave and devised the said estate to the said Richard Hill and his sister Hannah Hill (the son and danghter of the testator's nephew Richard Hill).

Duly proved September 12th, 1729.
Recorded in Will Book E page 112 &c.

Recited
in No. 47

NOTE: — The said Hannah Hill afterwards intermarried with Doctor Samuel Preston Moore.

1748
December 28
No. 43

Recited
in No. 47

DEED.- Samuel Preston Moore and Hannah his wife and Richard Hill junior to Edward Cathrall, John Morris, Abel James, John Armitt, Joshua Emlen, John Reynell, John Smith and Israel Pemberton their heirs and assigns for the said twenty acres of land.

1762
Dec. 18 - 20

No. 44

Recited
in No. 47

LEASE AND RELEASE.- George Fox, William Dalby and Rebecca his wife Tyrringham Palmer the elder and Mary his wife and Elizabeth Fox of the one part and John Fox son of the said George Fox and Tyrringham Palmer the younger son of the said Tyrringham Palmer the elder of the other part whereby the said George Fox, Rebecca Dalby, Mary Palmer and Elizabeth Fox (claiming title by descent from their great grand uncle the said first named George Fox) did grant release convey and confirm unto the said John Fox and Tyrringham Palmer the younger inter alia all such City lots and Liberties lands in the said Province which formerly belonged to the said George Fox the original purchaser to hold to them the said John Fox and Tyrringham Palmer their heirs and assigns forever in trust to sell and dispose of the same and to make grants and conveyances to the purchasers thereof.

1767
April 24th

No. 45

Recited
in No. 47

DEED.- John Fox and Tyrringham Palmer the younger feoffees in trust of the estate of George Fox, Rebecca Dalby, Mary Palmer and Elizabeth Fox of the first part the said Edward Cathrall, John Morris, Abel James, Joshua Emlen, John Reynell, John Smith and Israel Pemberton of the second part and divers others persons of the third fourth fifth and sixth parts whereby to put an end to all controversies concerning the premises (it being alleged that the right of the said George Fox the elder was never duly conveyed to the said Samuel Carpenter, Anthony Morris and Richard Hill) they the said John Fox and Tyrringham Palmer did inter alia grant release and confirm

unto the said Edward Cathrall, John Morris, Abel James, Joshua Emlen, John Reynell, John Smith and Israel Pemberton their heirs and assigns all and singular the aforesaid tract or parcel of land in the Northern Liberties described in the above Letters Patent to hold to them their heirs and assigns forever.

1780
2nd mo. 15th

No. 46

Recited
in No. 47

DEED of ten parts to which the said John Reynell, Abel James and John Morris were parties of the second part and Samuel Sansom, John Field, Joshua Cresson, John Drinker, Henry Drinker, Samuel Hopkins, Isaac Cathrall, Thomas Scattergood, Nicholas Waln, James Bringhurst, Thomas Fisher and Samuel Coates parties of the tenth part (Reciting that the said John Reynell, Abel James and John Morris having survived the said Edward Cathrall, John Armitt, John Smith, Israel Pemberton and Joshua Emlen deceased who formerly were joint tenants with them in the estate held under the said patent did stand seized in their demesne as of fee of and in several lands tenements &c. and especially of and in the said twenty acres of land) they the said John Reynell, Abel James and John Morris in aggregation with all and every the persons parties to the said Indenture from the first to the ninth part did grant bargain and sell unto the said Samuel Sansom, John Field, Joshua Cresson, John Drinker, Henry Drinker, Samuel Hopkins, Isaac Cathrall, Thomas Scattergood, Nicholas Waln, James Bringhurst, Thomas Fisher and Samuel Coates parties of the tenth part and to their heirs and assigns all the messuages lands rents tenements and hereditaments in said Indenture mentioned whereof they or any or either of them then stood seized as aforesaid.

1783
12th mo. 20th

No. 47

Examined Record and Deed Produced

DEED.- Samuel Sansom, John Field, Joshua Cresson, John Drinker, Henry Drinker, Samuel Hopkins, Isaac Cathrall, Thomas Scattergood, Nicholas Waln, James Bringhurst, Thomas Fisher and Samuel Coates to Richard Waln (second) in fee for a certain lot or parcel of land part of the said twenty acres of land beginning at a post on the easterly side of the great road leading from Philadelphia to Germantown and a corner of the late John Naglee's land thence by the same north sixty-two degrees thirty minutes east eleven perches and six links and by the said Richard Waln's other land south twenty-seven degrees thirty minutes east twenty-four perches to a post by a run of water thence by other part of the said twenty acres of land south sixty-two degrees thirty minutes west seventeen perches and a half to the said road thence by the same road north thirteen degrees east ———— perches and north sixteen degrees west twenty-two perches and ten links to the beginning. Containing two acres one quarter and thirty-eight perches of land.

Duly executed. Proved as to all the grantors except Nicholas Waln by one of the subscribing witnesses January 1st, 1784.

Recorded April 20th, 1877, in Deed Book D. H. L. No. 75 page 300 &c.

TITLE TO TRACTS Nos. 2 and 3 PLAN C

Containing together 34 acres and 158 perches
Tract No. 3 containing 2¼ acres and 38 perches

NOTE: — The said Richard Waln died seized of the above mentioned two acres one quarter and thirty-eight perches of land and also of the remaining part of the land devised to him by his father Nicholas Waln adjoining on the west the tract of land granted by the said Richard Waln to Jonathan Mifflin comprising the said thirty-four acres and one hundred and fifty-eight perches.

For the previous title to the two acres one quarter and thirty-eight perches see Items No. 37 et seq. and for the title to the remaining part of the thirty-four acres and one hundred and fifty-eight perches see Item No. 22 and preceding items.

1808
6th mo. 23rd

No. 48

Examined
Record

LAST WILL AND TESTAMENT of Richard Waln (second) wherein and whereby he did direct and empower his executors or their survivors on the death of his daughters Elizabeth and Hannah to sell all his real estate in fee and of his said will he did nominate and appoint his sons Joseph, Nicholas and Jacob Waln executors.

1809
5th mo. 14th
No. 49
Examined
Record

CODICIL to the said last will and testament of said Richard Waln whereby the testator did appoint and constitute his daughter Elizabeth Waln and his son in law Thomas Wistar executors in addition to those appointed in his said will.

Will and Codicil duly proved June 7th, 1809, and Letters Testamentary granted to the said Nicholas Waln and Jacob Waln two of the executors above named.
Recorded in Will Book No. 2 page 505.

Recited in No. 50

NOTE: — The said testator's daughters Elizabeth and Hannah and his son Joseph Waln afterwards departed this life And Thomas Wistar the other surviving executor named having never qualified or acted under said appointment afterwards by writing by him signed and filed of record in the Register's Office at Philadelphia renounced the executorship of the said will.

1838 June 7th

No. 50

Examined Record and Deed Produced

DEED.- Nicholas Waln (fourth) and Jacob S. Waln surviving acting executors of the last will and testament of Richard Waln to S. Morris Waln in fee for all that messuage or tenement and tract or parcel of land Situate on the easterly side of the great road leading from Philadelphia to Germantown at and near to a stream or run known by the name of and commonly called "The Three "Mile Run" in the Township of the Northern Liberties and County of Philadelphia. Bounded limited and described (according to a survey thereof then lately made by Thomas Williamson) as follows that is to say: — Beginning at a post an original corner on the southerly side of a public road about ten and three tenths perches eastward from the east side of the Philadelphia and Germantown Turnpike Road thence partly by land of Jacob S. Waln and partly by land late of Abraham Wilt deceased

south twenty-five degrees three minutes east twenty-nine perches thence by the last mentioned land south sixty-one degrees twenty-three minutes west eleven and twenty-four one hundredths perches to the east side of the Germantown Road thence along the same south thirteen degrees thirty-three minutes east twenty-two perches and *four* to a post on the southerly bank of the Three Mile Run and south eleven degrees twenty-six minutes west three perches and three tenths to a post thence (leaving the said Road) by land formerly belonging to the Society of Friends north sixty-three degrees seven minutes east seventeen perches and eighty-five hundredths to a post by the Run thence by land formerly of John Lacy north fifty-seven degrees twenty-seven minutes east forty perches to a post formerly a white oak south fifty-six degrees thirty-three minutes east forty-three perches south seventy-eight degrees thirty-three minutes east seventeen perches and north eighty-seven degrees twenty-seven minutes east four perches thence by land formerly conveyed to Jonathan Mifflin then of Jacob S. Waln north twenty-three degrees forty-eight minutes west sixty-three perches and four tenths to a marked Spanish oak north twenty-four degrees eighteen minutes west thirty-six perches to the southerly side of a public road and thence along the same south sixty-three degrees twenty-five minutes west eighty perches and six tenths to the beginning. Containing thirty-four acres and one hundred and fifty-eight square perches be the same more or less. Being composed of part of the said two hundred and fourteen acres and also of the whole of the lot of two acres and a quarter and thirty-eight perches of land above described.

Duly executed. Acknowledged June 7th, 1838. Recorded July 22nd, 1839, in Deed Book G. S. No. 7 page 22 &c.

1839
May 10th
No. 51

Examined
Record and
Deed
Produced

DEED ENDORSED.- S. Morris Waln to Jacob S. Waln in fee for the same premises.

Duly executed. Acknowledged May 10th, 1839.
Recorded July 22nd, 1839, in Deed Book G. S. No. 7 page 24 &c.

TITLE TO 'REES JONES' LOT PLAN C

1805
3rd mo. 13th

No. 52

Examined
Record

DEED.- Thomas Rogers to Thomas Norton and Edward Wilson their heirs executors administrators and assigns for all and singular his the said Thomas Rogers's messuages lots of ground lands tenements hereditaments &c. in trust that they or the survivor of them should convert the same and every part and parcel thereof into money and for that purpose should and would sign seal execute acknowledge and deliver in due form of law all and every such deed and deeds conveyances and assurances in the law as should be necessary for granting conveying and assuring the real estate thereby granted and assigned and the absolute fee simple and inheritance thereof unto the purchaser or purchasers thereof his her or their heirs and assigns forever and pay and apply the proceeds to the payment and discharge of the debts of the said Thomas Rogers as therein mentioned.

Duly executed. Acknowledged March 16th, 1805.

Recorded March 6th, 1806, in Deed Book E. F. No. 23 page 45 &c.

1806 June 30th

No. 53

Examined Record and Deed Produced

DEED.- Thomas Norton and Edward Wilson assignees of Thomas Rogers to Rees Jones in fee for all the right title and interest property claim and demand which were of the said Thomas Rogers at and immediately before the execution of the last above recited Indenture either in law or equity of and in all that certain lot or piece of land Situate in the Township of the Northern Liberties in the County of Philadelphia aforesaid on the easterly side of the Germantown and Perkiomen Turnpike Road Bounded and described as follows to wit: — Beginning on the said Road at a corner of land belonging to Abraham Wilt thence along the said Road north sixteen degrees forty-five minutes west ten perches and four tenths more or less to the side of a new road thence easterly along the south side of the said road ten perches and two tenths more or less to a corner of land belonging to Richard Waln thence by the same south twenty-six degrees forty-five minutes east ten perches and two tenths more or less to another corner of Abraham Wilt's land and thence south sixty-two degrees ten minutes west twelve perches more or less to the place of beginning. Containing one hundred and thirteen perches more or less.

Duly executed. Acknowledged August 6th, 1806. Recorded February 5th, 1807, in Deed Book E. F. No. 26 page 38 &c.

1813
October 22nd

No. 54

Examined
Record and
Deed
Produced

DEED.- Rees Jones and Hannah his wife to Jacob Cash and Jacob Cash junior in fee for the same premises said to contain one hundred and five perches.

Yielding and paying therefor unto the said Rees Jones his heirs and assigns the yearly rent or sum of seventy-eight dollars and thirty-seven and a half cents in half yearly payments as therein mentioned.

Duly executed. Acknowledged October 22nd, 1813.

Recorded November 21st, 1813 in Deed Book I. C. No. 26 page 566 &c.

1815
December 1st

No. 55

Examined
Record

DEED.- Jacob Cash the elder and Jacob Cash junior to William Montelius and Daniel Thuun and the survivor of them and the heirs executors administrators and assigns of such survivor for all and all manner of goods chattels debts moneys estates and all other things whatever of them the said Jacob Cash the elder and Jacob Cash junior as well real as personal in trust for the benefit of the creditors of the said Jacob Cash and Jacob Cash junior.

Duly executed. Acknowledged December 1st, 1815.

Recorded December 2nd, 1815, Deed Book M. R. No. 7 page 200 &c.

1819 June 12th

No. 56

Examined Record and Deed Produced

DEED.- William Montelius and Daniel Thuun assignees of Jacob Cash the elder and Jacob Cash junior to Rees Jones in fee for the same premises said to contain one hundred and thirteen perches more or less.

Duly executed. Acknowledged June 12th, 1819.

Recorded the same day in Deed Book I. W. No. 2 page 292 &c.

1816 October 17th

No. 57

Examined Record and Patent Produced

PATENT.- Commonwealth of Pennsylvania to the said Rees Jones in fee for the same premises said to contain eighty-eight perches and allowance &c.

Enrolled in Patent Book H vol. 14 page 356, and in Exemplification Records No. 4 page 429 &c.

1821 November 28

No. 58

Examined Record and Deed Produced

DEED.- Rees Jones and Catharine his wife to Jacob S. Waln in fee for the same premises said to contain one hundred and thirteen perches more or less.

Duly executed. Acknowledged December 14th, 1821.

Recorded January 11th, 1822, in Deed Book I. H. No. 1 page 400 &c.

The whole of the premises in question thus became vested in fee in the said Jacob S. Waln who died seized thereof.

1843
July 11th

No. 59

Examined
Record

LAST WILL AND TESTAMENT of Jacob S. Waln wherein and whereby he did will as follows: — "I wish and my will is "that all my estate real personal and mixed "which I now own or may hereafter acquire "be devised which I hereby do unto my "sons S. Morris Waln, Henry L. Waln, "Edward Waln and my friend Samuel B. "Morris and the survivor and survivors of "them for the purposes and on the special trust following "that is to say to pay the net income and profits thereof to "my wife Sarah M. Waln during her life to be by her dis- "tributed and appropriated to the use and support of herself "and my children in such way and proportion as she may "judge right and after her death to cause my said estate to "be divided without sale by three or five judicious and dis- "interested persons which persons shall apportion it into "as many shares of nearly equal value in quantity as possible "as there may be with the exception hereinafter mentioned "of my children living at their mother's death the child "or children of any deceased child counting for one share "which division shall be binding and then to convey by ab- "solute deed or other requisite assurance the share allotted "to my sons Henry and Edward to each or his issue their "respective share in fee simple but to retain in trust the share "of each of my daughters whether covert or single and to "pay to each of them the net income and profits thereof for "the support and maintenance free from the debts control or "liability of any present or future husband in such sums as "the same may be received and if any of my daughters die "leaving lawful issue to give the share of such deceased "mother to her children after the death of her husband who "shall have his life estate as tenant by the curtesy therein "and to convey the share of any unmarried daughter or of

"a daughter dying married and without children as she may "by writing under her hand and seal in nature of a last will "and testament executed in the presence of two witnesses "designate and appoint and in default of such appointment "to their or her brothers and sisters living or if dead leaving "issue then to the said issue share and share alike. I also "give my trustees the power of disposing of all or any part "of any share aforesaid by and with the approbation and "consent of the cestui que trust if from any adventitious cir- "cumstances it would in their opinion be more advantage- "ous and for the interest of the party interested provided "they vest the proceeds of the part so disposed of or of the "money got for the same subject to the same trust as above "set forth. And as my son Morris has already been ad- "vanced by me a considerable sum and as he has been and "is in prosperous business and will most probably be better "off than any other of my children my desire to place them "as near as possible on an equality will be best subserved "by not leaving him anything (without he should become "unfortunate in trade and lose his property — in this case "and in this only he shall come in for his proportion)."

1849
June 29th

No. 60

Examined
Record

By a codicil to said will the testator directed his executors to pay to Elizabeth W. Tilghman an annuity of seventy-five dollars per annum — to Miss Spence of Ellicott's Mills Maryland an annuity of fifty dollars per annum — to Perry Warren a colored woman residing in Philadelphia thirty dollars per annum.

Will and codicil duly proved April 23rd, 1850.

Recorded in Will Book No. 24 page 318.

The said testator left surviving him his widow, the said Sarah M. Waln, and issue eight children viz: — the said S. Morris Waln, Henry L. Waln, Edward Waln, and five daughters, Elizabeth Waln, Mary Waln wife of Richard Vaux, Sally M. Waln, Ellen Waln and Annie Waln.

The said Elizabeth Waln died during the life-time of her said mother unmarried and without issue.

The said Sarah M. Waln, the widow of the testator, died in the month of May, 1860.

The said testator's son, S. Morris Waln, afterwards departed this life without issue (and without having been unfortunate in trade or losing his property).

Samuel B. Morris, one of the devisees in trust named in said will, hath since departed this life.

No. 61

NOTE: — All the real estate of the said Jacob S. Waln deceased except a certain yearly ground rent of eight hundred and forty dollars issuing out of a lot of ground situate on the northeast corner of Arch and Juniper Streets has been discharged from the lien of the legacies bequeathed in the will of the said testator by proceedings in the Orphans' Court for the County of Philadelphia the following being a copy of the Docket entries of the said proceedings: —

1873
January 11th

Examined
Record

IN RE ESTATE of Jacob S. Waln deceased sur petition to discharge real estate from payment of annuities the Court charge the payments of the three several annuities to Elizabeth W. Tilghman, Miss Spence and Perry Warren upon a yearly ground rent of eight hundred and forty dollars issuing out

of a lot of ground at northeast corner of Arch and Juniper Streets.

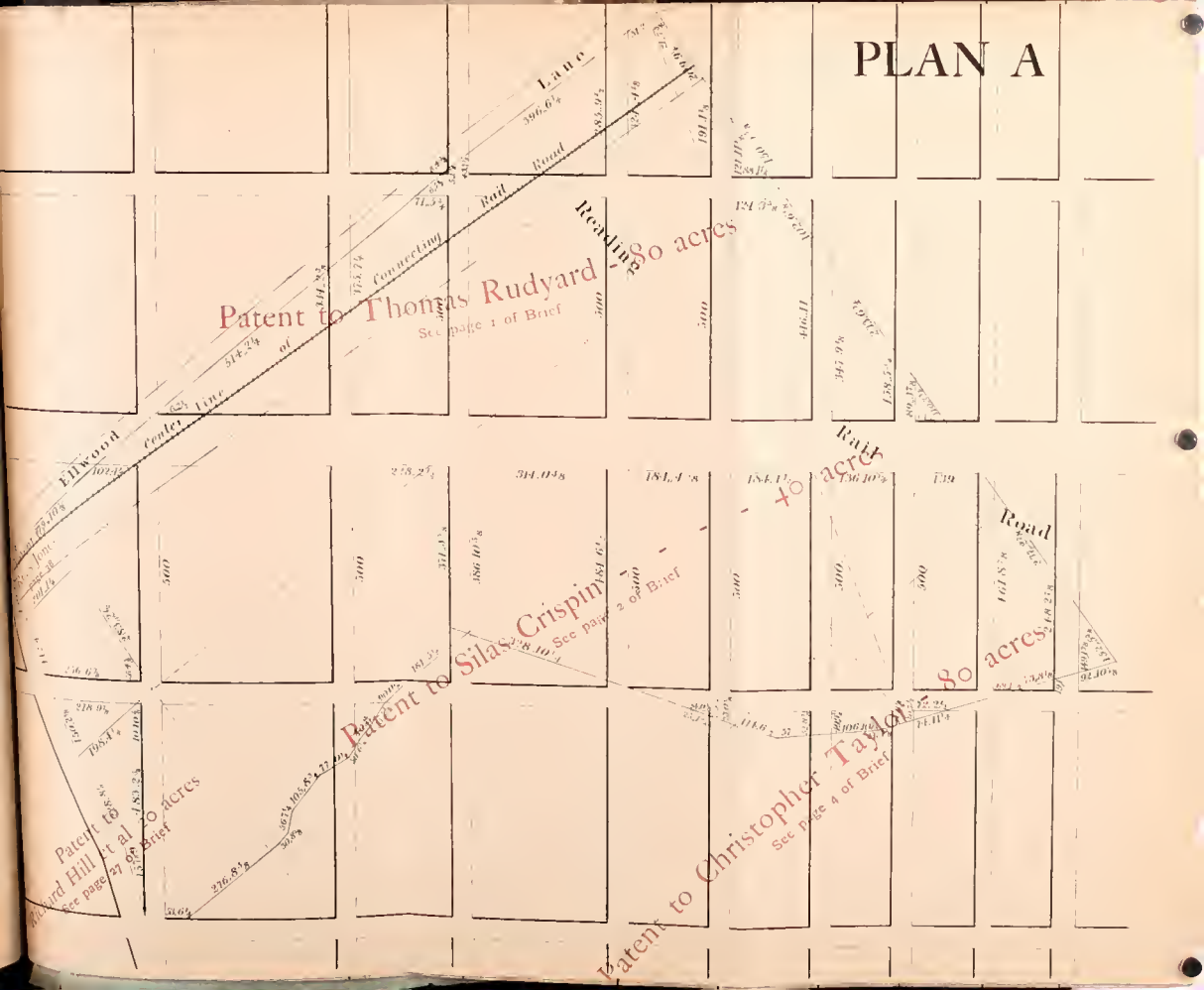
1873 February 24 Examined Record	SUR PETITION.- The Court order that said annuities be charged upon the said ground rent and that the other and remaining real estate of testator be discharged and exonerated from the lien of said annuities in the hands of any bona fide purchaser. Orphans' Court Docket No. 63 page 71.

Prepared from the Records and Title Papers produced.

J. H. Siddall & Son

Davis & Mercer

May 1877.


PLAN A
Lane
Road
Rail
Reading
Connecting
Ellwood
Center Line
Patent to Thomas Rudyard 80 acres
See page 1 of Brief
Patent to Silas Crispin
See page 2 of Brief
Patent to Christopher Taylor 80 acres
See page 4 of Brief
Patent to Richard Hill et al 20 acres
See page 27 of Brief
Rail Road
- 40 acres -


PLAN B
Lane
Rail Road
Connecting
Ellwood
Center Line of
No. 2 - John Simcock - 42 acres 38 perches
See page 10 of Brief
No. 1 William Waln 244 acres 13 perch
See page 8 of Brief
Road
Rail
Road
339
300
500
184.4 ft
311.0 ft
398.10 ft
366.8 ft

PLAN C

STREET
STREET
STREET
Lane
STREET
STREET
STREET
STREET
STREET
STREET
WESTMORELAND
Reading Rail Road
Connecting
Center Line
ALLEGHANEY
Ellwood
AVENUE
No. 2
Richard Waln's remaining land
See page 33 of Brief
See pages 14 and 22 of Brief
Jacob S. Waln - 34 acres 158 perches
No. 1 - Jacob S. Waln
See page 14 of Brief
Jonathan Mifflin
See page 14 of Brief
17 acres
20 acres
Road
ARFIELD
STREET
GERMANTOWN
TENTH
NINTH
EIGHTH
SEVENTH
MARSHALL
SIXTH
FAIRHILL
REESE
FIFTH
STREET

12 143

Brief of Title

TO

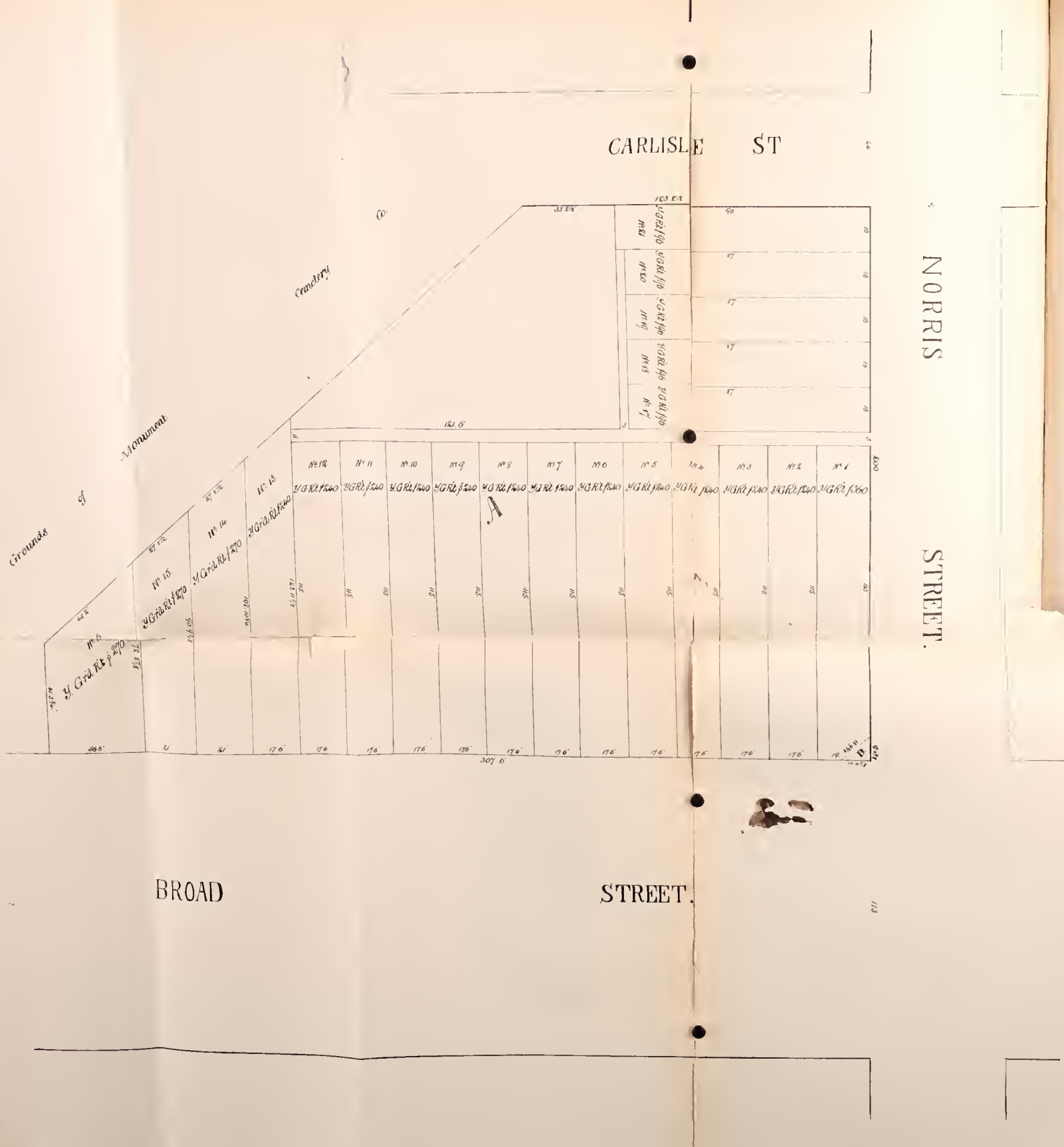
TWENTY-ONE LOTS OF GROUND

AT THE SOUTH-WEST CORNER OF BROAD AND NORRIS STREETS, IN THE TWENTY-EIGHTH WARD OF THE CITY OF PHILADELPHIA,

BELONGING TO

JOHN M. SHARP.

PHILADELPHIA:
ALLEN, LANE & SCOTT'S PRINTING HOUSE,
Nos. 229-231 South Fifth Street.
1883.


CARLISLE ST
NORRIS STREET.
BROAD STREET.
Cemetery
Monument
Grounds of
No 1
No 2
No 3
No 4
No 5
No 6
No 7
No 8
No 9
No 10
No 11
No 12
No 13
No 14
No 15
No 16
No 17
No 18
No 19
No 20
No 21
No 22
Y.G.R.L. f240
Y.G.R.L. f270
Y. Grd. Rt. f240
Y. Grd. Rt. f270
307' 6"
176'
121' 6"

Brief of Title

TO

TWENTY-ONE LOTS OF GROUND

AT THE SOUTH-WEST CORNER OF BROAD AND NORRIS STREETS, IN THE TWENTY-EIGHTH WARD OF THE CITY OF PHILADELPHIA,

BELONGING TO

JOHN M. SHARP.

PHILADELPHIA:
ALLEN, LANE & SCOTT'S PRINTING HOUSE,
Nos. 229-231 South Fifth Street.
1883.

BRIEF OF TITLE

TO

ALL THAT CERTAIN LOT OR PIECE OF GROUND situate on the west side of Broad street, in the Twenty-eighth Ward of the city of Philadelphia, bounded and described as follows, to wit: Beginning at the south-west corner of Broad and Norris streets, thence westward along the said Norris street two hundred feet to the east side of Carlisle street; thence southward along the east side of Carlisle street one hundred and twenty-three feet six inches to ground of Monument Cemetery; thence south-eastward along said Monument Cemetery to a point; thence eastward, at right angles to the said Broad street, forty-one feet three inches and three-quarters of an inch, to the west side of said Broad street; thence northward along the west side of said Broad street three hundred and seven feet six inches to the place of beginning.

☞ *For prior title to that part of the premises in question marked "A" on plan, see printed brief "Camac Estate," page 20; and for that part marked "B" on plan, see printed brief "Randolph Estate," page 18.*

TITLE TO LOT MARKED "A" ON PLAN.

1826. July 12. **Will** of Mary Penn, wherein, after reciting among other things the partition set forth in the first above mentioned brief, and ratifying and confirming the same, she gave and devised all her estate in the Northern Liberties, near Philadelphia, allotted to her in said partition, and all other her real estate, unto and to the use of her son Richard Penn, his heirs, executors and administrators, upon the trusts therein expressed, viz.: upon trust by sale, mortgage or otherwise of her real estate in the United States, or any part thereof, or out of the rents and profits thereof, to levy and raise so much money as should be necessary to pay and discharge her debts, and subject thereto, and after payment thereof, to stand seized of the said real estate upon the trusts thereinafter mentioned, and it is afterwards by said will declared that as for and concerning ten lots of ground lying in the Northern Liberties aforesaid, and fourteen yearly rent charges, "one of the said lots lying west of Broad street, and bounded by Turner's lane, Camac street, Broad street, and land held in trust for Frances Strawbridge," the same should be held "In trust for the purposes and intents, and for the persons and estates hereafter mentioned, that is to say upon the trusts that the said Richard Penn, his heirs, executors, administrators or assigns, or such person or persons as may be duly empowered under his or their hand and seal or hands and seals, shall, during the continuance of the estate hereby devised to him and them, have power and authority to sell and convey in fee simple or for any less estate at fair and reasonable prices, for which his and their receipt or receipts shall be a sufficient discharge to the purchaser or purchasers, the whole or any part or parts of the said real estate and ground-rents:"

And to invest the proceeds thereof, and to pay the interest to her son William Penn for and during his life, and after his death, upon certain conditions to pay an annuity of £100 to his mother, and remainder to children of said William Penn, if they became of age, in fee, and remainder over in fee to said Richard Penn.

Codicil to said will, revoking the above-mentioned trust, so far as it relates to the payment of the said annuity of £100 to Juliana Catharine Penn (if she should survive the said William Penn). 1827. November 6.

Codicil to said will, reciting that she was in negotiation for the sale of the lands so devised in trust by said will to said Richard Penn and expected that the same would be forthwith actually sold and giving and bequeathing the proceeds thereof to said Richard Penn, in trust as to the one-third thereof to the use of the said Richard Penn during life as aforesaid, one-third thereof to said Richard Penn absolutely, and the remaining one-third thereof in trust for her daughter Hannah Penn, as in said will mentioned. 1829. April 23.

Will and codicils proved at London, November 17th, 1829. Copy registered at Philadelphia, in Book of Wills, No. 10, page 3, &c.

Deed.—Richard Penn, for himself, his heirs, executors and administrators, and as devisee in trust, under the last will and testament of Mary Penn (widow), his late mother, deceased, to George Cadwalader, his heirs and assigns, in consideration of £14,000 sterling for, *inter alia*, "all those ten lots or pieces of ground, situate, lying and being in the Northern Liberties, near the city of Philadelphia aforesaid," "one of said lots lying west of Broad street and bounded by Turner's lane, Camac street, 1838. No date.

Broad street and land held in trust for Frances Strawbridge," recited as being part of a large lot of one hundred and twenty-four acres one hundred and ten perches, marked in a plan map of the estate of William Masters, No. 1, R. M. P., and allotted to the said Mary Penn, deceased.

Acknowledged November 19th, 1838, before Thomas Aspinwall, Consul of the United States for London, and recorded April 1st, 1839, in Deed-book G. S., No. 3, page 295, &c., and re-recorded (on account of a portion of original record being torn out of book) January 31st, 1870, in Deed-book J. A. H. No. 51, page 150, &c.

1869. March 1. **Deed.**—George Cadwalader and Frances his wife to Richard C. Ridgway, his heirs and assigns, in consideration of $60,000. For all that certain lot of ground situate in the Twenty-eighth Ward of the city of Philadelphia, beginning at a point at the intersection of the west side of Broad street with the middle of old Camac street, the said point being at the distance of ten feet four inches and seven-eighths of an inch southward from the south side of Norris street, as the same is laid out and intended to be opened; thence extending along the middle of the said old Camac street, crossing Norris and Carlisle streets north twenty-nine degrees thirty-six minutes west six hundred and two feet five inches and five-eighths of an inch to a point in the middle of Turner's lane; thence along the middle of said lane south sixty-one degrees eighteen minutes west two hundred and twenty-two feet ten inches and three-fourths of an inch to a point thence by ground of Monument Cemetery south twenty-nine degrees twenty-three minutes east eight hundred and three feet three inches and three-eighths of an inch to a point thence by the same ground and at right angles to said Broad street south seventy-eight degrees thirty-nine minutes east forty-one feet three inches and three-

fourths of an inch to the west side of the said Broad street, and thence northward along the same two hundred and ninety-seven feet one inch and one-eighth of an inch to the place of beginning.

Acknowledged and recorded same day in Deed-book J. T. O. No. 217, page 424, &c.

Deed.—Richard C. Ridgway and wife to John M. Bickel in fee for said lot above described excepting and reserving out of said grant a certain triangular lot or piece of ground beginning at a point in the middle of the intersection of Carlisle (forty feet wide) with Norris street (fifty feet wide) as laid down upon the plan of said city; thence extending northward along the middle of said Carlisle street two hundred and eighteen feet two inches and three-fourths of an inch to the middle of old Camac street; thence along the middle of said old Camac street south twenty-nine degrees thirty-six minutes east two hundred and eighty-eight feet ten inches and one-eighth of an inch to the middle of said Norris street, and thence westward along the middle of said Norris street one hundred and eighty-nine feet three inches and three-eighths of an inch to the place of beginning. 1869. December 22.

Acknowledged January 20th, 1870; recorded January 21st, 1870, in Deed-book J. A. H. No. 10, page 376, &c.

TITLE TO SMALL TRIANGULAR LOT MARKED "B" ON PLAN.

1864. May 10. **Will** of George F. Randolph giving and devising all the residue of his estate:—

One-fifth part to his daughter Hannah F. Randolph.

One-fifth part to his daughter Julianna F. Wood.

One-fifth part to his executors in trust for his daughter Jane R. Stocker during her natural life and upon her decease as therein mentioned.

One-fifth to his executors in trust for his daughter Margaret F. Randolph.

One-fifth part to his grandsons Richard Randolph, George F. Randolph and Charles F. Randolph, sons of Edward F. Randolph, subject to the payment of $300 to their father. And the said testator appointed his daughter Hannah F. Randolph, his son-in-law Charles S. Wood, and his grandson George R. Wood, to be the executors thereof, giving and granting them full power to sell and dispose of his estate. And he did order and direct that the annual sum of $300 given to his son Edward F. Randolph should not be deemed to be a charge on any part of his general estate, real or personal, but he directed his executors to set apart so much thereof as would be sufficient to produce the said annual sum until the final distribution of his estate.

Duly proved with codicils, August 25th, 26th, and 27th, 1868, and registered at Philadelphia, in Will-book No. 63, page 248, &c.

1868. February 24. **Codicil** to said will, revoking the appointment of the said George R. Wood (grandson of the said testator) as one of the executors.

Second Codicil to said will, in which the said testator appointed his nephew Edward Taylor Randolph his executor in place of George R. Wood. 1868. March 13.

By Writing Filed, The said Edward Taylor Randolph renounced his appointment as executor, and declined and refused to take upon himself the office, duty, or burden of executing said will. 1868. August 24.

Letter of Attorney.—Hannah F. Randolph, one of the executors and trustees of the last will and testament of George F. Randolph, deceased, to Charles S. Wood and George R. Wood, constituting and appointing them jointly and severally her true and lawful attorneys for her and in her name and behalf to grant, alien, bargain, sell and dispose of any and all messuages, lots of ground, lands, ground-rents, hereditaments, and real estate of the testator held for the said uses or trusts of his will or over which the said executors and trustees by the said will or otherwise have or either of them has any power of sale or disposition by public or private sale or sales, and also to make, sign, seal and acknowledge and deliver all such deeds, conveyances, or assurances which may be needful or proper or which her said attorneys and attorney might, in their or his discretion, deem so to be for vesting the title and estate in any such realty aforesaid in the purchasers thereof respectively, their respective heirs and assigns. 1869. May 18.

Duly acknowledged same day; recorded January 24th, 1870, in Letter-of-attorney-book J. T. O. No. 4, page 290, &c.

Deed.—Hannah F. Randolph and Charles S. Wood, executors and trustees (the said Hannah F. Randolph acting by her attorneys, Charles S. Wood and George R. Wood, as hereinbefore recited) to John M. Bickel, his heirs and assigns, for all 1870. February 16.

that certain small triangular lot or piece of ground situate in the Twenty-eighth (late Twenty-first) Ward of the city of Philadelphia, beginning at the south-west corner of Broad and Norris streets, thence extending westward along the south side of the said Norris street nine feet and three-eighths of an inch to a point in the middle of old Camac street (intended to be vacated); thence south-eastward along the middle of said old Camac street thirteen feet nine inches and three-eighths of an inch to the west side of the said Broad street, and thence northward along the west side of the said Broad street ten feet four inches and seven-eighths of an inch to the place of beginning.

Duly acknowledged same day and recorded August 24th, 1870, in Deed-book J. A. H. No. 76, page 114, &c.

1870. Dec. 13. **Deed.**—Hannah F. Randolph, Charles S. Wood and Juliana F. his wife, Richard Randolph and Emma A. his wife, George F. Randolph and Lillie R. his wife, and Charles F. Randolph (the said Hannah F., Juliana F., Richard, George F., and Charles F., being the devisees in fee, named in the will of the said George F. Randolph, deceased, granting, releasing, and confirming unto John M. Bickel, his heirs and assigns, all the estate, right, title, interest, property, claim, and demand whatsoever of them the said Hannah F. Randolph, Charles S. Wood and Juliana his wife, Richard Randolph and Emma A. his wife, George F. Randolph and Lillie R. his wife, and Charles F. Randolph, in law, equity, or otherwise howsoever, of, in, and to the said small triangular lot or piece of ground last hereinbefore described.

Duly acknowledged December 13th, 27th, and 30th, 1870, and recorded January 7th, 1871, in Deed-book J. A. H. No. 102, page 518, &c.

Deed.—John M. Bickel and wife to John F. Bickel, his heirs and assigns, for the premises in question described at the head of this brief (being composed of part of the large lot of ground described in the deed from George Cadwalader and wife to Richard C. Ridgway, hereinbefore recited, and the whole of the said small triangular lot of ground.) 1875. Sept. 20.

Duly acknowledged same day and recorded November 16th, 1875, in Deed-book F. T. W. No. 239, page 147, &c.

Deed.—John F. Bickel and wife to Edward Thomson in fee for the same lot of ground. 1876. May 1.

Duly acknowledged same day and recorded June 19th, 1876, in Deed-book D. H. L. No. 14, page 533, &c.

Deed.—Edward Thomson and wife to Francis McIlvain and William P. Steward in fee for the same premises. 1876. June 15.

Duly acknowledged same day and recorded June 23d, 1876, in Deed-book D. H. L. No. 36, page 186, &c.

Will of Francis McIlvain, wherein and whereby he directed as follows:—"I hereby authorize and empower the said executors, the survivors and survivor of them, from time to time, as they in their discretion may deem best for the interest of the said trust estate, to bargain and sell and absolutely dispose of all or any part or parts of the said trust estate aforesaid with the appurtenances, I mean both real and personal, to any person or persons whomsoever for the best price 1881. March 30.

or prices that can or may be reasonably had and obtained for the same, either by public sale or private contract, and on receipt of the purchase-money therefor to sign, seal, execute and acknowledge and deliver in due form of law all such deed or deeds of conveyance, receipts and releases as may be requisite and proper to vest the estate so sold in the purchaser or purchasers thereof, his, her, or their heirs and assigns forever in fee simple, free and clear of and from all and every the uses and trusts hereinbefore mentioned, limited and declared of and concerning the same, and from all accountability for any loss, non-application or misapplication of the purchase-money." And of his said will he nominated and appointed his wife Anna Maria McIlvain, William V. Keating and Bernard Sharkey, executors.

Duly proved May 11th, 1881. Registered at Philadelphia, Will-book No. 101, page 335, &c.

1881. May 11. Letters testamentary were duly granted unto the said William V. Keating and Bernard Sharkey.

1883. June 23. At an Orphans' Court held at Philadelphia, for the city and county of Philadelphia, the petition of Robert A. Wilkinson was presented, setting forth the conveyance to Francis McIlvain and William P. Steward, hereinbefore recited, subject to a mortgage debt of $30,000; the death of the said Francis McIlvain, and his will. That the said executors had agreed to sell the interest of the said decedent, being one undivided moiety or half part in the said lot, to the petitioner for the price or sum of $900, subject to the payment of the said mortgage debt of $30,000; that the petitioner was desirous of paying the purchase-money or consideration of said sale to the said executors, to be disposed of by them according to the uses and trusts contained in said will of said decedent, and so that the said real estate should be purchased by him free, clear, and

discharged from the lien of debts of the said decedent; and the petitioner therefore prayed the Honorable Court to grant leave to him, as purchaser as aforesaid, to pay, and the said executors to receive the said purchase-money from him, to be disposed of according to the uses and trusts contained in said will, and so that the said real estate should be sold free and clear and discharged from the lien of the said decedent's debts. Whereupon the said court did on the same day order and decree that the sale of the premises described in the said petition, subject to a mortgage of $30,000 secured thereon be confirmed unto Robert A. Wilkinson, and that he have leave to pay the purchase-money of $900 in cash to said executors, and that such payment should be valid against all persons having or who might have an interest therein; the said executors to first enter security in the sum of $1800, to be approved by the said court for the faithful application of the said purchase-money; which security has since been approved by the said court and duly entered.

Orphans' Court docket, April Term, 1882, No. 114, page 57, &c.

Deed.—William V. Keating and Bernard Sharkey, executors named in the will of Francis McIlvain, deceased, and William P. Steward and Amelia his wife, to Robert A. Wilkinson, his heirs and assigns, for the lot of ground in question. 1883. May 31.

Acknowledged the same day, and

Recorded June 30th, 1883, in Deed-book J. O'D., No. 138, page 38, &c.

Deed.—Robert A. Wilkinson and wife to Eliza H. Murphy, in fee, for the same lot of ground. 1883. June 25.

Acknowledged same day, and

Recorded June 30th, 1883, in Deed-book J. O'D., No. 138, page 41, &c.

1883. June 30. **Twenty-one Deeds.**—Eliza H. Murphy (widow) to William L. Rhinehart in fee for twenty-one several lots or pieces of ground, as shown upon the plan accompanying this brief (being composed of above-mentioned large lot) reserving thereout unto the said Eliza H. Murphy, her heirs and assigns, twenty-one yearly ground-rents as thereon designated.

Acknowledged same day, and

Recorded June 30th, 1883, in Deed-book J. O'D., No. 138, pages 47[1], 51[2], 55[3], 59[4], 63[5], 67[6], 71[7], 75[8], 79[9], 83[10], 88[11], 92[12], 96[13], 100[14], 104[15], 108[16], 112[17], 116[18], 120[19], 124[20], and 128[21], &c.

1883. June 30. **Deed.**—William L. Rhinehart to John M. Sharp in fee for the said twenty-one several lots of ground, subject to the aforesaid twenty-one yearly ground-rents.

Acknowledged same day.

Recorded June 30th, 1883, in Deed-book J. O'D., No. 138, page 43, &c.

Extracted from the records and papers produced, by

EDWIN T. COXE,
T. ELLWOOD POTTS.

August, 1883.

SEARCHES.

All that certain lot or piece of ground situate on the west side of Broad street in the Twenty-eighth Ward of the city of Philadelphia, bounded and described as follows, to wit: Beginning at the south-west corner of Broad and Norris streets, thence westward along the said Norris street two hundred feet to the east side of Carlisle street, thence southward along the east side of Carlisle street one hundred and twenty-three feet six inches to ground of Monument Cemetery, thence south-eastward along the said Monument Cemetery to a point, thence eastward at right angles to the said Broad street forty-one feet three inches and three-quarters of an inch to the west side of said Broad street, thence northward along the west side of said Broad street three hundred and seven feet six inches to the place of beginning.

Certify any unsatisfied mortgage or mortgages of the above described premises or any part thereof given by

Mary Penn, from January 1, 1761, to December 1, 1829.

Richard Penn,
Richard Penn, Trustee, } from April 1, 1829, to May 1, 1839.

George Cadwalader, from January 1, 1838, to April 1, 1869.

Richard C. Ridgway, from February 1, 1869, to February 1, 1870.

John M. Bickel, from December 1, 1869, to December 1, 1875.

Sarah Masters,
Turner Camac,
Sarah Camac, } from November 1, 1760, to June 1, 1803.

Joseph Sims, from May 1, 1803, to February 1, 1823.

Joseph Johnson,
Joseph B. Sims,
John Coulter,
Benjamin Jones, Jr.,
Houston Smith,
Thomas H. White,
} Trustees, from January 1st, 1823, to July 1st, 1827.

George F. Randolph, from June 1, 1827, to February 1, 1871.

Hannah F. Randolph,
Charles S. Wood,
} Executors and Trustees, from July 1, 1868, to September 1, 1870.

Hannah F. Randolph,
Julia F. Wood,
Richard Randolph,
Charles F. Randolph,
} From July 1, 1868, to February 1, 1871.

John F. Bickel, from September 1, 1875, to July 1, 1876.

Francis McIlvain, from June 1, 1876, to May 1, 1881.

Edward Thompson, from April 1, 1876, to July 1, 1876.

William P. Steward, since June 1, 1876.

William V. Keating,
Bernard Sharkey,
} Executors, since April 1, 1881.

Robert A. Wilkinson, since May 1, 1883.

Also certify any conveyance of the above-described premises, or any part thereof, by

Francis McIlvain,
William P. Steward,
} Since June 1, 1876.

Office of EDWIN T. COXE, Conveyancer,
No. 524 Walnut street.

To the Real Estate Title Insurance Company of Philadelphia.

No. 26,003.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certifies that there is no unsatisfied mortgage on record of the above-described premises, or any part thereof, given by either of the twenty-nine (29) persons above-named and recorded within the periods above specified, except one as per schedule below.

Witness the seal of the said company, the twenty-second day of June, A. D. 1883.

[SEAL] JOHN B. HENKELS,

Clerk.

Mch. 1 | 69, Richard C. Ridgway to Geo. Cadwalader, $30,000, recorded Mch. 1 | 69. J. T. O., 129, p. 386.

No other to July 1 | 83, inclusive.

Search has also been made from 1749 to April 30, 1883, in the company's Locality Indexes of the unsatisfied mortgages which have been located, and no other mortgages affecting the premises as described, have been found therein.

JOHN B. HENKELS,

Clerk.

No. 9401.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certifies that there is no conveyance of the above-described premises or any part thereof, made by either of the two (2) persons above named and recorded in Philadelphia, within the periods above specified.

Witness the seal of the said company, the twenty-second day of June, A. D. 1883.

JOHN B. HENKELS,

Clerk.

None to July 1 | 83, inclusive, except one:—May 31 | 83, William P. Steward *et ux. et al.* to Robt. A. Wilkinson, Rec. June 30 | 83, J. O'D. 138, p. 38.

JOHN B. HENKELS,

Clk.

Search has also been made from May 3, 1879, to February 5, 1883, in the company's Locality Indexes of conveyances which have been located, and no conveyances affecting the premises as described have been found therein.

Note.—The one following appears on our Locality Index:—
Mch. 1 | 69, Geo. Cadwalader *et ux.* to Richard C. Ridgway, Rec. Mch. 1 | 69, J. T. O., 217, p. 424.

JOHN B. HENKELS,
Clerk.

The above conveyance is in the line of title.

E. T. C.

No. 19,817.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certify that there have been no Sheriff's sales of the above-described premises since Decr. 1, 1843, except one as per schedule below.

Witness the seal of the said corporation the twenty-second day of June, A. D. 1883.

JOHN B. HENKELS,
Clerk.

Jno. M. Bickel, C. P. 2, V. E. M., 77–216; sale May 6 | 78.

There are no deeds of the above-described premises or any part thereof, made by Marshals of the United States for the Eastern District of Pennsylvania, and recorded between December 1st, 1843, and June 18th, 1883, in the clerk's office of the United States District Court at Philadelphia.

JOHN B. HENKELS,
Clerk.

Proceedings "stayed" in above case.

E. T. C.

Certify any unpaid taxes registered against the premises above described in the name of Francis McIlvain, William P. Steward, or in any other name or names.

EDWIN T. COXE.

On examining the register of unpaid taxes for the city of Philadelphia, for the years 1878 to 1882, inclusive, I find nothing against the above-described premises.

W. M. NEISSER,
C. S. C.
6 | 25 | 83.

On examining the locality indices of the Courts of Common Pleas and the District Court, I find nothing against the above-described premises since June 22d, 1878.

S. B. VAN DUSEN,
Pro Prot'y.

[SEAL]

None to July 28 | 83.
S. B. V. D., *Pt'y.*

On searching the indices of claims in the City Solicitor's office, I find nothing against the premises as above described.

ROBT. T. CORSON,
Ass't. Sol'r.
June 22 | 83.

None to July 1 | 83.

Please certify in whose name the above described lot is registered.

To the Registry Bureau, Department of Surveys.

DEPARTMENT OF SURVEYS. REGISTRY BUREAU.

PHILADELPHIA, June 22d, 1883.

I hereby certify, that the above described lot is registered in this department as follows:—

Former Owner.	Present Owner.	Date of Deed.
Edward Thompson.	McIlvain and Steward.	June 15, 1876.

For Chief Engineer and Surveyor,

JOHN H. DYE,
Registrar.

No. 7614.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certify that the list of judgments in the United States Circuit Courts at Pittsburg, Erie, and Williamsport, and the United States District Court at Pittsburg, Pennsylvania, certified to them by the clerks of said Courts, do not show any judgments against William P. Steward; William V. Keating, Bernard Sharkey, Executors; Robert A. Wilkinson, from June 23d, 1878, to June 23d, 1883, inclusive.

Witness the seal of the said corporation, the 26th day of June, A. D. 1883.

JOHN B. HENKELS,

[SEAL] *For Secretary.*

N. B.—Judgments in the District Courts at Erie and Williamsport are docketed in the Clerk's office at Pittsburg.

None to July 1 | 83, inclusive.

JOHN B. HENKELS,

Clerk.

No. 7613.

The Real Estate Title Insurance and Trust Company of Philadelphia hereby certify that the lists of judgments in the United States Circuit Courts at Pittsburgh, Erie, and Williamsport, and the United States District Court at Pittsburgh, Pennsylvania, certified to them by the clerks of said Courts, do not show any judgments against Francis McIlvain, from April 1st, 1876, to June 23d, 1883, inclusive.

Witness the seal of the said corporation, the twenty-sixth day of June, A. D. 1883.

JOHN B. HENKELS,

[SEAL] *For Secretary.*

N. B.—Judgments in the District Courts at Erie and Williamsport are docketed in the Clerk's office at Pittsburg.

None to July 1 | 83, inclusive.

JOHN B. HENKELS,

Clk.

COURT OF QUARTER SESSIONS OF THE PEACE FOR THE CITY AND COUNTY OF PHILADELPHIA.

I certify that I have examined the records of the aforesaid Courts, and do not find any unsatisfied judgments against William P. Steward, Francis McIlvain; William V. Keating, Bernard Sharkey, Executors; Robert A. Wilkinson, since April 1, 1876.

6 | 27 | 1883.

None to 7 | 30 | 1883.

W. L. F.

WM. L. FOREMAN,
Pro Clerk.

[SEAL]

I do certify that on examining the judgment index of the Supreme Court of Pennsylvania, for the Eastern District, for five years prior to the twenty-sixth day of June, (1883) one thousand eight hundred and eighty-three, I find no unsatisfied judgments entered within that period against William P. Steward; William V. Keating, Bernard Sharkey, Executors; or Robert A. Wilkinson.

WM. A. SMITH,
Pro Prothonotary.

[SEAL]

I do certify that, that on examining the judgment Index of the Supreme court of Pennsylvania, for the Eastern District, from April 1st, 1876, to the twenty-sixth day of June, (1883), one thousand eight hundred and eighty-three, I find no unsatisfied judgments entered within that period against Francis McIlvain.

WM. A. SMITH,
Pro Prothonotary.

[SEAL]

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *ss.*

I, Charles S. Lincoln, clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied judgments remaining on record in my office, obtained against Francis McIlvain since April 1st, 1876.

JOHN B. BEAVER,
Pro Clerk Circuit Court.

[SEAL]

PHILADELPHIA, this twenty-third day of June, A. D. 1883.

None to July 2d, 1883.

J. B. BEAVER,
Pro Clerk.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *ss.*

I, Charles S. Lincoln, Clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied judgments remaining on record in my office, obtained within the last five years, against William P. Steward; William V. Keating, Bernard Sharkey, Executors; Robert A. Wilkinson.

JOHN B. BEAVER,
Pro Clerk District Court.

[SEAL]

PHILADELPHIA, This twenty-third day of June, A. D. 1883.

None to July 2d, 1883.

J. B. BEAVER,
Pro Clerk.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining on record in my office, obtained against Francis McIlvain since April 1st, 1876.

JOHN B. BEAVER,
Pro Clerk Circuit Court.

[SEAL]

PHILADELPHIA, This twenty-third day of June, A. D. 1883.

None to July 2d, 1883.

J. B. BEAVER,
Pro Clerk.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA, } *sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining on record in my office, obtained within the last five years, against William P. Steward; William V. Keating, Bernard Sharkey, executors; Robert A. Wilkinson.

JOHN B. BEAVER,
Pro Clerk Circuit Court.

[SEAL]

PHILADELPHIA, this twenty-third day of June, A. D. 1883.

None to July 2d, 1883.

J. B. BEAVER,
Pro Clerk.

On examination of the Judgment Index of the Court of Common Pleas, for the county of Philadelphia, from June 21st, A. D. one thousand eight hundred and seventy-eight (1878), to the twenty-second day of June, one thousand eight hundred and eighty-three (1883), I find no unsatisfied judgments entered therein within that period against William V. Keating, Bernard Sharkey, executors ; Robert A. Wilkinson.

Certified by

S. B. HOPPIN,
Pro Prot'y.

None to July 1st, 1883.

C. H. KRETSCHMAR,
P. P.

[SEAL]

On examination of the Judgment Index of the Court of Common Pleas for the county of Philadelphia, from April 1st, A. D. one thousand eight hundred and seventy-six (1876), to the twenty-second day of June, one thousand eight hundred and eighty-three (1883), I find no unsatisfied judgments entered therein within that period against Francis McIlvain.

Certified by

S. B. HOPPIN,
Pro Prot'y.

No other to July 1st, 1883.

C. H. KRETSCHMAR,
P. P.

[SEAL]

On examination of the Judgment Index of the Court of Common Pleas for the county of Philadelphia, from June 21st, A. D. one thousand eight hundred and seventy-eight (1878), to the twenty-second day of June, one thousand eight hundred and eighty-three (1883), I find the following unsatisfied judgments entered therein within that period against William P. Steward. City—3; J. 79, 91; M. L. D., June 19, '79; 29.13.

Certified by

C. H. KRETSCHMAR,
Pro Prot'y.

No other to July 1st, 1883.

C. H. KRETSCHMAR,
P. P.

[SEAL]

C. P. 3; J. 79, 91, within certified, is a claim for registered taxes filed against a lot of ground, N. E. corner 28th and Barclay streets, 29th Ward.

E. T. C.

BRIEF OF TITLE

TO

SUNDRY BLOCKS OF GROUND,

IN THE

Twenty-Seventh Ward of the

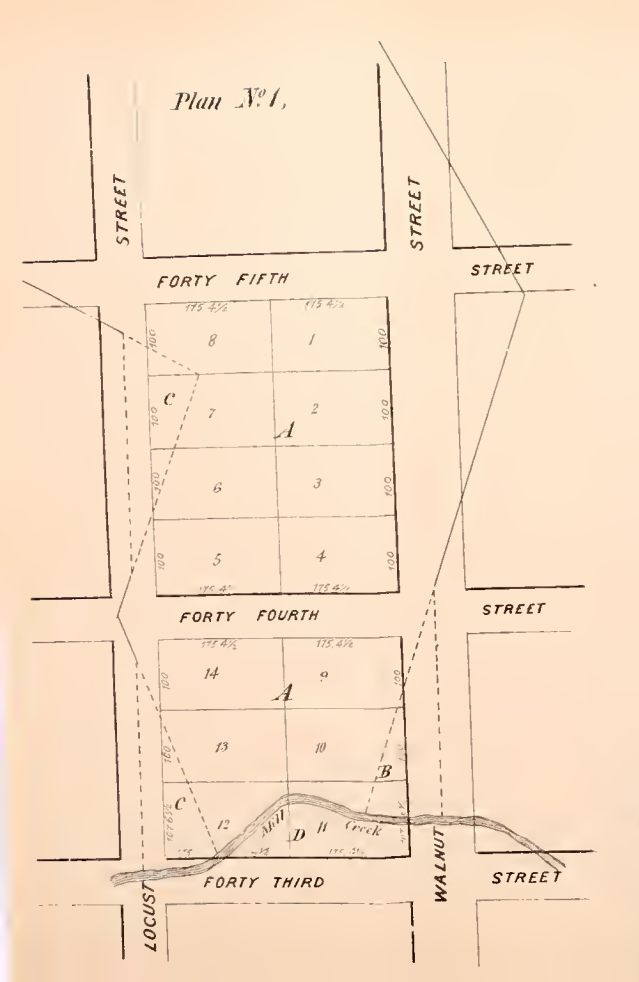
City of Philadelphia.

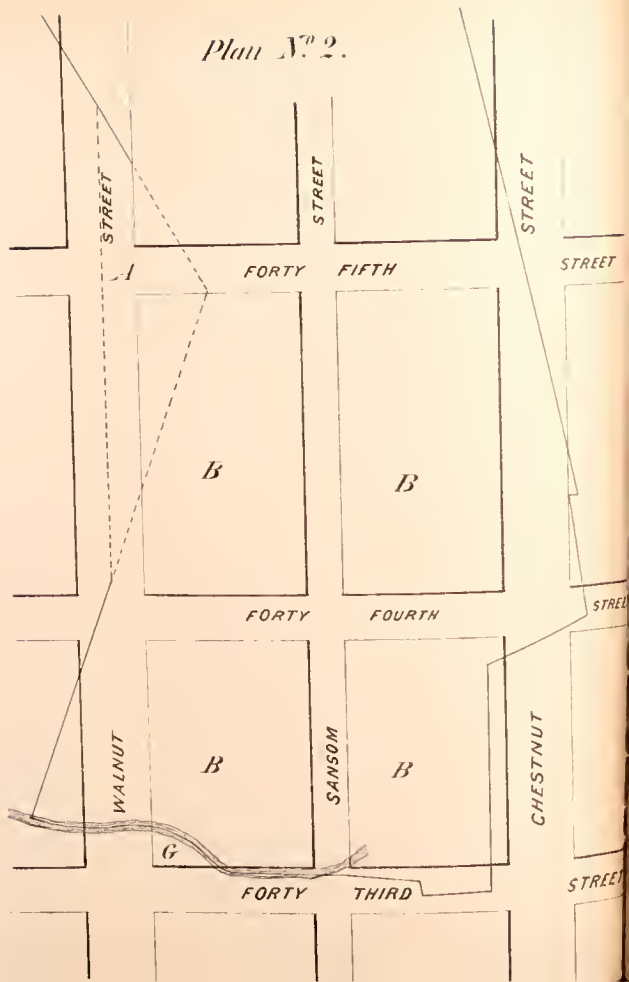
BOUNDED BY WALNUT STREET, LOCUST ST., SANSOM STREET, CHESTNUT ST., FORTY-THIRD ST., FORTY-FOURTH STREET AND FORTY-FIFTH STREET.

BELONGING TO

Samuel C. Bunting, Jr.

WILLIAM McMURRAY, PRINTER, 26 S. FOURTH ST.
1873


Plan № 1.
STREET
STREET
STREET
FORTY FIFTH
FORTY FOURTH
STREET
FORTY THIRD
STREET
LOCUST
WALNUT
Mill
Creek
A
B
C
D
1
2
3
4
5
6
7
8
9
10
12
13
14


Plan № 2.
STREET
STREET
STREET
STREET
A
FORTY FIFTH
B
B
FORTY FOURTH
STREET
WALNUT
B
SANSOM
B
CHESTNUT
G
FORTY THIRD
STREET

Plan No. 1,

STREET

STREET

STREET

FORTY FIFTH

FORTY FOURTH

FORTY THIRD

LOCUST

CHESTNUT

175 4½

175.4½

100

8

1

C

7

2

A

6

3

5

4

14

9

13

10

12

11

D

Mill Creek

107.6½

175

4⅓

50

BRIEF OF TITLE.

PATENT—William Penn to William Clayton in fee for a parcel of land on the west side of Schuylkill, bounded southeast by Jones' land, northwest by Thomas Paschall, northeast by William Hearn, and southeast by the river. Laid out for 100 acres.

1
1684.
5th of 5th mo.
Ex. Record.

Recorded the 31st of 5th mo. 1684, in Patent Book A, No. 1, page 16, now in Exemplification Record No. 1, page 12.

DEED—William Clayton to Barnabas Wilcox in fee for 50 acress (one-half of said 100 acres).

2
1688–9.
23d of 12th mo.
Recited.

DEED POLL—George Wilcox (son and heir of Barnabas Wilcox) and Joseph Wilcox, another son of said Barnabas, to Abraham Fifield in fee, reciting the last deed, and that said Barnabas Wilcox in his lifetime by writing dated 4th of 7th month 1689, did oblige himself to convey to Abraham Fifield 15 acres, part of said 50 acres. And thereupon granting to said Abraham Fifield in fee all that parcel of land (part of said 50 acres). Beginning at a white oak, a corner of William Hearn's land, thence S. 18° W. 31 perches to a corner black oak, then S. 31° W. 16 perches to a black oak near the mouth of Mill creek; then N. 15 W. near said creek 17 perches; then N. 39 W. 16 perches to a chestnut; then N. 26 —— 17 perches to a corner; then N. 40 W. 22 perches, and thence S. 45 E. 91 perches to the beginning. Containing 15 acres.

3
1693.
Oct. 25,
Ex. Record.

Duly acknowledged the 5th of March, 1695–6, and recorded the 14th of 6th mo. 1701, in Deed Book C, No. 2, vol. 3, page 163.

DEED POLL, endorsed Abraham Fifield to Benjamin Chambers in fee for said 15 acres of land.

4
1701.
6th mo, 16.
Ex. Record.

Acknowledged in the County Court at Philadelphia the 4th of September, 1701, by William Hearn, who was duly appointed by the said Abraham Fifield to acknowledge and deliver the same, and recorded the 8th of October, 1701, in Deed Book C, No. 2, vol. 3, page 165.

5
1704.
July 3d.
Ex. Record.

PATENT OF CONFIRMATION—William Penn, Proprietary and Governor, &c., to Benjamin Chambers in fee. Reciting title in Benjamin Chambers (under warrant and survey) to 200 acres laid out, to Peter Cock 100 acres, patent to William Hearn, 100 acres and 45 acres, two patents to Thomas Lloyd, 50 acres, part of 100 acres, patented to Daniel Humphreys, and 50 acres, part of 100 acres laid out to Robert Turner by virtue of warrant to John Gee & Co., described together in one tract as follows: Beginning at a marked white oak standing at the easternmost corner of Thomas Paschall's land thence N. W. by the same 53 perches to a corner marked Spanish oak, thence west by said land 123 perches to a corner marked Spanish oak, thence north by the said land 148 perches to a marked white oak standing at a corner of land now or late of the widow James, then E. by the same 224 perches to a post, then still by the same and land of William Brown 5[illegible] perches to a small oak sapling, then E. along said Brown's land 87½ perches to a small hickory, then N. by said Brown's land 41½ perches to a black oak corner of Samuel Bradshaw then S. 72° E. by Bradshaw's line 23 perches to a hickory stump corner of John Gardner's land, then S. by said Gardner's land 118 perches to a white oak sapling, then E. by Gardner's land 27 perches to a marked black oak, then S. 72° E., still by the same 165 perches to a post standing by Beaver Run, then down the several courses of said run 32 perches to a hickory on the fast land by the side of said run, then S. S. W. through the marsh and flats 52 perches to the river Schuylkill then down the several courses of the same 238 perches to a white oak, corner of land late of William Clayton, then N. W. by the same 174 perches to the beginning. Containing 54 acres.

Recorded the 14th of 5th mo. 1704, in Patent Book A, vo[illegible]

2, page 690, &c., and in Exemplification Record No. 1, page 562, &c.

PATENT—William Penn by his commissioners to William Brown in fee for a parcel of land beginning at a corner post standing in the head line of Francis Fincher's land, then W. 90 perches to a corner oak, then S. 35½ perches, then E. 90 perches, then N. 35½ perches to the beginning. Containing 20 acres. 6 1689. 16th of 5th mo. Ex. Record.

Recorded the 30th of 2d mo. 1707, in Patent Book A, No. 4, page 11, and in Exemplification Record No. 1, page 688.

DEED—William Brown and Susanna Bertles to Benjamin Chambers in fee for said 20 acres. 7 1713. Nov. 5, Recited.

The said Benjamin Chambers. seized in fee of said 545 acres, 15 acres, and 20 acres (*inter alia*) departed this life intestate, unmarried and without issue, leaving as his heirs Elizabeth Jackson, wife of Stephen Jackson (late Elizabeth Chambers, daughter of John Chambers, deceased, who was the only brother of the said Benjamin Chambers) and Mary Marshall, wife of Abraham Marshall, and John Bartram (the said Mary being the daughter and John being the grandson of Eliza. who was also a daughter of the said John Chambers, deceased), unto whom the said three parcels of land (*inter alia*) descended according to law. 8

DEED OF PARTITION between the said Stephen Jackson and Elizabeth his wife of the one part, and the said Abraham Marshall and Mary his wife of the other part. Reciting the death of said Benjamin Chambers, intestate, seized of (*inter alia*) the said three tracts of land above described, whereupon the same descended to and vested in the said Stephen Jackson and Abraham Marshall, *jure uxornm suorum*, as the said Elizabeth and Mary were heirs at law of the said Benjamin Chambers as aforesaid; and further reciting an agreement between the said parties for a partition of the said premises; and thereupon by the said deed there was allotted and assigned to the said Stepehn Jackson and Elizabeth his wife, and the heirs and 9 1716-17. Jan'y 11. Ex. Record.

assigns of the said Elizabeth (*inter alia*) the said three tracts of land of 545 acres, 15 acres and 20 acres.

Duly proved the 18th of May, 1737, by a subscribing witness, and recorded the 27th of May, 1737, in Deed Book F, No. 9, page 171.

10
1720.
Dec'r 30,
Ex'd Record.

RELEASE—John Bartram, son and heir of Eliza Bartram, to Stephen Jackson, reciting the death of Benjamin Chambers, intestate as aforesaid, after whose death the premises aforesaid (*inter alia*) descended to Elizabeth Jackson, wife of the said Stephen Jackson, and to the said John Bartram in right of his mother Eliza Bartram, who was a daughter of Eliza Chambers, the daughter of the said John Chambers, brother of the said Benjamin Chambers, and that the said Stephen Jackson was then seized of all the purpart which of right did descend to his said wife Elizabeth from the said Benjamin, and thereupon in consideration of £60 granting and confirming unto the said Stephen Jackson in fee all the estate and interest whatsoever which he the said John Bartram ever had, then had or which he or his heirs might have or claim to have thereafter of and in (*inter alia*) the said three parcels of land, or any part thereof.

Duly acknowledged the 21st of May, 1737, and recorded the 22d of September, 1746, in Deed Book G, No. 7, page 248, &c.

11
1729.
Dec'r 31st,
Ex'd Record,

DEED OF GIFT—Stephen Jackson and Elizabeth his wife to Benjamin Jackson, eldest son and heir apparent of said Stephen by said Elizabeth, and Mary Jackson, daughter of said Stephen and Elizabeth, in fee, in equal shares, for a certain parcel of land beginning at a corner marked "Huckelberry" bush standing in a run of water, being the northerly corner of the great tract belonging to the said Stephen Jackson's plantation, thence W. 78 perches to a post, thence N. 7½ perches, thence W. 231 perches to a marked white oak corner of Captain Roach's land, thence by Peter Jones' land 56½ perches, thence E. 309 perches, then N. 46 perches to the place of beginning. Containing 103 acres—83 acres being part of said tract of 545 acres, and the residue (20 acres) was granted by

William Brown and Susanna Bertles to Benjamin Chambers by deed dated 5th of November, 1713.

Duly acknowledged the 2d of January, 1729, and recorded the 24th of February, 1729-30, in Deed Book F, No. 5, page 2,

LEASE and RELEASE between Mary Jackson (the only sister of the whole blood and heir at law of Stephen Jackson, deeeased, who was the only brother and heir at law of Benjamin Jackson, also deceased) of the one part, and Alexander Wooddrop of the other part, reciting the deed last above recited. That the said Benjamin, Stephen and Mary were the only children of Stephen Jackson by Elizabeth his wife. That the said Benjamin Jackson departed this life without issue, intestate, and the said Stephen Jackson is also dead, without issue and intestate. Whereupon the whole is descended to and vested in the said Mary Jackson, and thereupon granting and conveying unto the said Alexander Wooddrop in fee (*inter alia*) the aforesaid 103 acres of land.

12
1733.
May 14, 15,
Ex'd Record.

Duly acknowledged the same day, and recorded the 23d of October, 1741, in Deed Book G, No. 2, page 545.

DEED—Alexander Wooddrop to Richard Pearne in fee for (*inter alia*) the same parcel of land, containing 103 acres.

13
1734.
Jan'y 15,
Ex'd Record.

Duly proved the 27th of January, 1734, and recorded the same day in Deed Book F, No. 8, page 63, &c.

DEED OF RELEASE—Richard Pearne and wife to Peter Gardner in fee for the same 103 acres of land.

14
1741.
Oct'r 7,
Ex'd Record.

Duly acknowledged the 21st of October, 1741, and recorded the 20th of June, 1744, in Deed Book G, No. 5, page 173, &c.

DEED—Stephen Jackson and Elizabeth his wife to Daniel Radley and William Rawle, in fee, for (*inter alia*) a tract of land, part of said 545 acres, containing acres, and also the whole of the 15 acre tract herebefore described. (See No. 4.)

15
1729
Jan'y 2d,
Ex'd Record,

Duly acknowledged the 15th of April, 1735, and recorded the 21st of May, 1828, in Deed Book G W R, No. 24, page 8, &c.

16
1729.
January 22d,
Recited.

DECLARATION OF TRUST by the said Daniel Radley and William Rawle. Reciting the last above recided deed, and declaring that the same was upon trust, that a sufficient sum of money might be raised ont of the said lands by the sale thereof, for the payment of the debts of the said Stephen Jackson in such manner as the said Stephen Jackson might direct, &c.

17
1735.
April 5th,
Ex'd Record.

DEED TRIPARTITE—Daniel Radley and William Rawle, of the first part. Stephen Jackson and Elizabeth, his wife, of the second part; and Simon Edgell of the third part. Reciting the next above recited Deed and declaration; and granting and conveying to the said Simon Edgell, in fee, *inter alia*, a tract of land situate in Blockley Township, described as follows:—Beginning at two corner marked Black Oaks, near the mouth of Mill Creek, then up the river Schuylkill N. 40° E. 16 perches, N. 79 E. 36 perches, N.73 E. 8 perches to a corner black Oak tree on the bank side, thence N. 24 W. 225 perches to Mill Creek, near a White Oak sapling thence following the several courses of said Creek N. 27½° E. 9 perches, N. 5½ E. 8 perches, N. 46 W. 4 perches, N. 21½ E. 11 perches, N. 43½ E. 10 perches, N. 13½ E. 16 perches to a Black Oak corner in the line of Alexander Wooddrop's land, three perches East of Mill Creek, thence W. 222 perches to a corner stake in the Swamp, thence S. 95 perches by Peter Jonason's land to a dead Oak, thence E. 123 perches, thence S. E. 75 perches, thence N. 50 E. 27½ perches by a line of trees near Mill Creek to a corner marked Black Oak, below the Mill-dam, thence S. 3 E. 9 perches to a Stake near the flood gate, then S. 52 W. 9 perches to two marked White Oaks by the Mill-race, then S. 19 W. 6 perches, S. 34 W. 7 perches S. 45 E. 58 perches to a White Oak Sapling, S. 30½ E. 39 perches to a Spanish Oak, thence S. 19 W. 25 perches to a Chestnut near Mill Creek; thence S. 35 E. 6 perches and thence S. 16 E. 18 perches to the place of beginning. Containing 194 acres of land—185 acres thereof being part of said tract of 545 acres, and the remaining 9 acres part of said tract of 15 acres.

Duly proved the 23d of February, 1743–4, by a subscribing witness, and recorded the 27th of June, 1744, in Deed Book G, vol. 5 page 164, &c.

DEED—Simon Edgell and Rebecca his wife, to Richard Pearne, in fee for *inter alia* the said 194 acres of land. 18 1741–2. March 20. Ex'd Record.

Duly acknowledged the same day and recorded the 27th of June, 1744, in Deed Book G, vol. 5, page 169, &c.

DEED OF RELEASE—Richard Pearne and wife to Peter Gardner in fee, for part of said 194 acres of land, beginning at a marked White Oak Sapling, a corner of land late of Stephen Jackson, now of Andrew Hamilton, by the side of Mill creek, thence extending up the said Creek on the several courses thereof about 42 perches, thence by said Creek and a line of marked trees N. $13\frac{1}{2}°$ E. 16 perches to a marked black Oak sapling, thence by other land of the said Peter Gardner W. 222 perches to a stake in a Swamp, thence by land of Peter Jonason S. 95 perches to a dead Oak tree marked, thence by the same E. 123 perches to a stake, thence by the same S. E. 75 perches to a White Oak sapling marked, thence by land of John Hood along a line of marked trees near the said Creek, S. (should be N.) 54 E. $27\frac{1}{2}$ perches to a black Oak sapling, thence by the same S. 3 E. to the water-course of the said Creek, near the dam, thence up the said Creek on the several courses thereof to the place of beginning,—containing by computation 138 acres. 19 1743–4. Feb'y 22d. Ex'd Record.

Duly acknowledged the same day, and recorded the 29th of June, 1744, in Deed Book G, vol 5, page 175, &c.

The said Peter Gardner being seized, in fee of *inter alia* said two tracts of land, of 103 acres and 138 acres, departed this life intestate, leaving a widow, Sarah Gardner, and issue three children, Richard Gardner, Mary Rose (wife of Peter Rose) and Elizabeth Gant, widow. 20 Recited.

At an Orphans Court for the county of Philadelphia, held at Philadelphia, the petition of Sarah Gardner, widow of Peter Gardner, was read, setting forth that the said Peter Gardner died intestate, seized of *inter alia*, two messuages and about 21 1765. June 8. Ex'd Record.

400 acres of land, in the township (Blockley) aforesaid, leaving issue Richard Gardner, his eldest son, and two daughters, Elizabeth Gant (widow), and Mary, the wife of Peter Rose, and praying an inquest to make partition of the said real estate. Whereupon the Court awarded an inquest, and a writ issued accordingly.

O. C. Docket No. 7, page 193.

22
1765.
Sept'r 16,
Ex'd Reco.d.

At an Orphans Court aforesaid, held as aforesaid, the Court continued said writ until the 26th of October, then next, to which time the Court adjourned.

O. C. Docket No. 7, page 227

23
1765.
Oct'r 26,
Ex'd Record.

The Court being met pursuant to the adjournment aforesaid, on motion of William Parr, High Sheriff, the Court continued the said writ until the 31st day of October, then instant.

O. C. Docket No. 7, page 240.

24
1765.
Oct'r 31,
Ex'd Record.

At an Orphan's Court aforesaid, held as aforesaid, William Parr, Esq., High Sheriff of the County of Philadelphia, and inquest made, return (dated the 6th day of September, 1765) to the aforesaid writ of partition. That on the 27th day of August, 1765, they went to the messuages, lots or parcels of land and premises in the said writ mentioned, and then and there after due notice and warning given to Sarah Gardner, Richard Gardner, Elizabeth Gant and Mary, the wife of Peter Rose, in the said writ named, the messuages, lots or parcels of land, &c., late the estate of Peter Gardner, deceased, into four equal parts he had caused to be divided, and one equal fourth part thereof, *inter alia*, a tract of land part of said 400 acres, beginning at a post in the land near the said Mill creek, thence by the said Elizabeth Gant's allotment S. $3\frac{1}{2}°$ W. 80 perches, to a post S. 87° W. 4 perches to a post S. $3\frac{1}{2}$ W. 74 perches to a post, thence by the said Jacob Whiteman's land S. 48 E. 77 perches to a White Oak sapling, thence N. 50 E. $27\frac{1}{2}$ perches to a Black Oak sapling, thence S. 45 E. 3 perches to the aforesaid Mill creek, thence up the said creek on the several courses thereof, about 136 perches to a stone in the middle of

the said Creek, thence by William Hamilton's land N. 17° E. 16 perches, to a Black Oak stump N. 87 E. 82½ perches to a Hickory N. 3° W. 46 perches to a "Huckelberry" bush, thence by the said Willing and Francis' land S. 87 W. 79 perches to a post, and N. 3° W. 7½ perches to a post, thence by a line of marked trees S. 87 W. 105 perches to the place of beginning. Containing 129 acres of land, was allotted and delivered unto the said Mary Rose, &c., as her equal fourth part of the said lands and premises; subject, nevertheless, in respect to one equal third part thereof, to the dower and estate for life of the said Sarah Gardner [widow].

Confirmed by the Orphan's Court the same day, and partition ordered to be and remain firm and stable forever.

The said Mary Rose departed this life leaving to survive her six children, to wit: Peter Rose, William Rose, Mary Thomas, Elizabeth Jones, Sarah Robinson and Jane Latch, to and in whom the premises descended and vested in fee as her only heirs at law.

25
Recited.

DEED—Jacob Latch and Jane his wife (daughter of Mary Rose, deceased) to the said Peter Rose and William Rose, in fee, as tenants in common for all their undivided right, title, claim and interest in and to certain tracts or parcels of land lying and being in the township of Blockley, being the same which on a division of the real estate of Peter Garden (grandfather of the said Jane) were allotted unto Mary Rose the mother of the aforesaid Jane. Reserving thereout the use of a certain burial ground on said premises.

26.
1798.
June 30,
Ex'd Record.

[NOTE—This reservation does not apply to any part of the premises in question.]

Duly acknowledged the same day and recorded the 22d of August, 1811, in Deed Book I C, No. 15, page 421.

DEED—Elizabeth Jones, Peter Rose and Mary his wife, William Rose and Hannah his wife, and Sarah Robinson, to Mary Thomas, in fee, for a tract of land (part of said 129 acres), beginning at a stone by the side of William and Peter Rose's Mill dam, thence by lands of William Rose S. 59½° E.

27
1798,
June 30,
Ex'd Record.

44 perches to a Maple tree by the side of Mill creek, then down the said Creek S. $14\frac{1}{4}°$ W. 8 perches, thence S. $34\frac{3}{4}$ $8\frac{4}{10}$ perches to a White Oak tree, thence by lands of Elizabe Jones S. 84 W. $21\frac{5}{10}$ perches to a small tree, thence by t dam land N. $59\frac{1}{4}$ W. 22 perches to a stone, thence by the da lands and lands of Peter Rose S. $36\frac{1}{2}$ W. $70\frac{6}{10}$ perches to stone, thence by lands late of William Bispham N. $6\frac{1}{4}$ V 59 perches to a stone, thence S. $84\frac{1}{2}$ E. 4 perches to a ston thence N. $6\frac{3}{4}$ E. $14\frac{2}{10}$ perches to a stone thence by the lan of William Rose and the Mill dam N. 79 E. $29\frac{4}{10}$ perch thence N. 68 E. $5\frac{7}{10}$ perches, thence N. $73\frac{1}{2}$ E. 13 perches the place of beginning, containing $20\frac{3}{4}$ acres of land to t dam, more or less.

Duly acknowledged the same day, and recorded the 2d August, 1813, in Deed Book I C, No. 24, page 594.

28
1808.
May 13.
Ex'd Record.

WILL of the said Mary Thomas, widow; whereby af sundry devises and bequests, not affecting the said tract land, she gave and devised the residue and remainder of h estate including the stone house and land where she th lived, to her son Thomas Thomas, in fee, subject to all h debts, and also subject to the payment of the sum or lega of $200 to each of his four sisters, viz.: Mary Hare, Sar Rhoads, Elizabeth Thomas and Jane Glasgow, to be paid them by her said son within six years next after her decea by equal instalments or payments.

Duly proved the 21st of May, 1808, and registered at Phi delphia in Book of Wills No, 2, page 297.

29
1827.
Jan'y 13,
Ex'd Record.

RELEASE under the hand and seal of Elizabeth Donne (late Elizabeth Thomas) of Blockley township, widow. citing the Will of said Mary Thomas, deceased, and in c sideration of $200 to her paid by said Thomas Thomas, leasing to said Thomas Thomas, his heirs, executors, admi trators and assigns, all the residuary estate of said M Thomas, which was charged, or in any way chargeable w the payment of the said legacy, from all claims and dema whatsoever.

Duly acknowledged the same day, and recorded the 18th of January, 1830, in Deed Book G W R, No. 37. page 196, &c.

RELEASE under the hand and seal of James Glasgow, reciting the Will of Mary Thomas as aforesaid. That the said Thomas Thomas had paid to the said James Glasgow and Jane Glasgow his wife, the above mentioned legacy of $200—bequeathed to the said Jane Glasgow by her mother the said Mary Thomas as aforesaid, and that the said Jane Glasgow had since departed this life. And thereupon the said James Glasgow, in consideration of the payment of the aforesaid legacy of $200 to him and Jane Glasgow his wife, in the lifetime of the said Jane Glasgow, and of the further sum of $1, released and discharged the said Thomas Thomas, his heirs, executors, administrators and assigns, all the residue and remainder of the estate of the said Mary Thomas, deceased, which was charged with the payment of the said legacy of $200, and also from all claims and demands. 30 1827. Jan'y 13,

Duly acknowledged the same day, and recorded the 18th of January, 1830, in Deed Book G W R, No. 37, page 200.

RELEASE—William Hare and Mary his wife to Thomas Thomas. Reciting the Will of said Mary Thomas, and the devise to her son the said Thomas Thomas, of all the residue of her estate, subject to the payment of all her debts, and subject to the payment of a legacy of $200 unto each of the four sisters, namely: Mary Hare, Sarah Rhoads, Elizabeth Thomas and Jane Glasgow, and thereupon in consideration of the sum of $200, releasing and discharging the said Thomas Thomas, his heirs, executors, administrators and assigns, all the residue of the estate of the said Mary Thomas, deceased, which was charged with the payment of the said legacy of $200, and also from all claims. 31 1827. Feb'y 13, Ex'd Record.

Duly acknowledged the same day, and recorded the 18th of January, 1830, in Deed Book G W R, No. 37, page 198, &c.

RELEASE—Sarah Rhoads, widow to Thomas Thomas. Reciting the Will of Mary Thomas aforesaid, and in consider- 32 1831. Dec'r 5, Ex'd Record.

ation of $200, releasing and discharging the said Thomas Thomas, his heirs, executors, administrators and assigns, all the residue of the estate of the said Mary Thomas, which was charged with the payment of the said legacy of $200 unto her the said Sarah Rhoads, and also from all claims and demands.

Duly acknowledged the same day, and recorded the 4th of February, 1832, in Deed Book A. M. No. 23, page 1, &c.

33
1835.
April 25,
Ex'd Record.

DEED—Thomas Thomas and wife, in consideration of $3000 and other good considerations to Evan J. Thomas, son of the said Thomas Thomas, in fee for the tract of land last described, containing 20¾ acres of land, be the same more or less.

Duly acknowledged the same day, and recorded the 30th of April, 1835, in Deed Book A M, No. 63, page 103, &c.

34
1839.
March 26,
Ex'd Record.

DEED—Evan J. Thomas and Ellen Ann his wife to Mary Sheldrake in fee for the same 20¾ acres of land more or less.

Duly acknowledged the same day, and recorded the 27th of February, 1842, in Deed Book G S, No. 36, page 273, &c.

TITLE

To the triangular piece of ground marked "B" on the Plan No. 1, hereto annexed, being also the title to premises marked "B" in Plan No. 2.

35
1798.
June 30.
Ex'd Record

DEED—Mary Thomas, Elizabeth Jones, Peter Rose and Mary his wife, and Sarah Robinson, granting, releasing and conveying unto the said William Rose in fee, all their and each of their estate, right and interest in and to (*inter alia*) a tract of land (part of said 129 acres), beginning at a stone in the middle of the road which leads from Philadelphia to Westchester, thence by lands of Peter Rose, S, 6½° W. 40 perches to a stone, thence by lands of William Hamilton S. 17° W. 16 perches, then S. 28° W. 6 perches to a maple tree, thence by lands of Mary Thomas N. 59½° W. 44 perches to a stone by the side of the milldam, thence S. 73½° W. 13 perches, thence S. 68° W. 5$^{7}_{10}$ perches to a stone, thence S. 79° W. 29$^{4}_{10}$ perches to a stone in the line of William Bispham's land, thence by the same N. 6¾° W. 36$^{8}_{10}$ perches to a stone, thence by lands of

arah Robinson east 73 perches to a stone, thence by the same
nds N. 19° E. 28⁸ perches to a stone in the middle of the
foresaid road, thence along the middle of the aforesaid road
. 79½° E. 25 perches to the place of beginning. Containing
9½ acres of land more or less, exclusive of the milldam—and
lso of a certain half acre of land (which are respectively gran-
ed by the two following recited deeds.
Duly acknowledged the same day, and recorded the 5th of
une, 1832, in Deed Book A M, No. 23 page 641, &c.

DEED—Mary Thomas, Elizabeth Jones, William Rose and 33
ife and Sarah Robinson, granting, releasing and conveying 1798.
nto the said Peter Rose in fee all their and each of their June30,
tate, right and interest in and to (*inter alia*) all that lot of Ex'd Record.
nd beginning at a stone by the side of Mill creek, thence by
nds of William Rose S. 87° W. 20 perches to a stone on the
de of the road, thence by the said road N. 36½ W. $3\frac{5}{10}$ perches
a stone by the end of the milldam, thence down the creek
the several courses thereof to the place of beginning, con-
ining half an acre of land, be the same more or less.
Duly acknowledged the same day, and recorded the 22d of
ugust, 1811, in Deed Book I. C. No. 15, page 423.

DEED—Mary Thomas, Elizabeth Jones and Sarah Robin- 37
n, granting, releasing and conveying unto the said Peter 1798.
se and William Rose in fee, as tenants in common, all their June 30,
d each of their estate, right and interest, of and in all that Ex'd Record.
ct or parcel of land, beginning at a stone on the southwest
le of the dam on Mill Creek, a corner of other lands of Peter
se, thence by the side of a certain road intended to be laid
t over said dam N. 36½° W. $3\frac{5}{10}$ perches to a stone at the said
m, thence crossing the said road and extending along the
le of the mill pond by other land of the said William Rose,
several courses of the said pond to a stone a corner of said
illiam Rose's land and land of Mary Thomas, thence by the
d Mary Thomas' land and other land of the said William
se, the several courses of the said mill pond and creek to a
ne a corner of Sarah Robinson's land and William Rose's,

thence down the said creek and mill pond, the several courses thereof to the lower side of the dam, to the place of beginning, containing 5 acres more or less, with the privilege of raising and maintaining the dam to the height of 17 feet, to be computed as therein mentioned. And reserving the privilege of passing in and along the road over the dam.

Duly acknowledged the same day, recorded the 13th of November, 1852, in Deed Book T H, No. 52, page 169, &c.

38 Recited.

The said Peter Rose, senior, in consideration of certain agreements and of the sum of $1060 to him paid by the said William Rose, did contract and agree with his brother, the said William Rose, in his lifetime, for the sale and conveyance to him in fee of his the said Peter's 80 perches of land above described and undivided moiety of the five acres above described—but the said William Rose died before a good and sufficient deed of conveyance had been made to him therefor.

39 1816 April 19, Ex'd Record.

At an Orphan's Court, held at Philadelphia, for the County of Philadelphia, the petition of Joseph Rose, Leonard Fraley and Mary his wife (late Mary Rose), Benjamin F. Rose, Jacob Hoffman, and Hannah his wife (late Hannah Rose), William Rose, John Rose, Eliza Rose, a minor by her guardian, Samuel Gibson, and Peter Rose, a minor, by his guardian, Nathan Jones, was presented, setting forth that said William Rose (the elder) the father of the petitioners, died intestate on or about the year 1810, leaving a widow, Hannah Rose, and eight children, the petitioners, which said widow Hannah Rose is now deceased. That the said intestate died seized in fee of certain tracts of land in Blockley township, Philadelphia county, one of them containing 26 acres and 67 perches. And praying the Court to appoint Lewis Jones, Joseph George, Samuel Breck, John Warner. James Bartram, jr., Evan W. Thomas and Thomas L. Plowman, to make partition of the said land among the Petitioners. Whereupon the Court did appoint the said seven men above named for the purposes mentioned and contained in the said petition. O. C. Docket, No. 25, p. 438.

Land of Thomas Thomas
STREET
Containing 14 Acres and 114 Perches
A
Containing 9 Acres 141 Perches
STREET
Land of James Pennel
WALNUT
CHESTNUT
A
Mill Creek
FORTY THIRD STREET
Heirs of William Hamilton

RETURN OF VALUATION AND PARTITION under the hands of the said seven men above named, was presented. Wherein (*inter alia*) all that certain tract marked A in the draft accompanying the said return and bounded as therein represented, containing 9 acres 141 perches, they valued at $250, and allotted and assigned to the said John Rose in severalty, and all that certain tract marked C in said draft, containing 14 acres 114 perches more or less, they valued at the sum of $3,500, and assigned the same with the exclusive water right unto the said Joseph Rose, William Rose, Benjamin F. Rose and Peter Rose. Which said return of Valuation and partition being read and heard, the Court did confirm the same *nisi*. O. C. Docket, No. 26, p. 42.

40
1816.
June 21,
Eb'd Record.

At an Orphans' Court held as aforesaid, the said report was confirmed and ordered by the Court to be and remain firm and stable forever. O. C. Docket No. 26, page 75.

41
1816.
August 16,

DEED—Peter Rose and Esther his wife to William Rose, Benjamin F. Rose, Peter Rose, junior, and the heirs and assigns of Joseph Rose, deceased, in fee (the said William, Benjamin F., Peter and Joseph Rose being the sons of the said William Rose, deceased, unto whom by the partition of the real estate of William Rose, deceased, made on the 16th of August, 1816, therein recited and hereinabove mentioned in this Brief, certain 14 acres and 114 perches of land (including the premises in this deed described), were allotted and assigned in equal fourth parts) for his the said Peter Rose's 80 perches of land hereinbefore described. And his the said Peter's one undivided half part of the said five acres also hereinbefore described, with the rights and privileges of raising and maintaining the dam to the height aforesaid.

42
1821.
April 24,
Ex'd Record.

Duly acknowledged the same day, and recorded the 13th of November, 1852, in Deed Book T H, No. 52, page 171, &c.

NOTE—It will be observed that the above conveyance was in fulfilment of the above recited contract (see No. 38) made with William Rose, the father of the grantees, and the premises had been included and allotted in and by the partition last aforesaid.

TITLE to Benjamin F. Rose's share (one-fourth) of the sai allotment "C."

COPY OF THE DOCKET ENTRIES IN THE DISTRICT COURT FOR TH CITY AND COUNTY OF PHILADELPHIA.

APPEARANCE DOCKET. Sept. Term, 1821.

43 296 and 297.	John Sisty *vs.* Benjamin F. Rose. Lev. fac. to D. 21.	Sci. fa. sur Mortgages "Made known" Dec. 29, 1821. By an order c Plaintiff's attorney, judgmen for want of an appearance. Oct. 12, 1821, on motion of J Randall, Esq., the Court orde judgment to be entered in thi case.

EXECUTION DOCKET. Dec. Term, 1821.

44 83 and 84.	Same *vs.* Same. Sold to John Sisty for $1,450.	Lev. Fa. Real debt $1200 and $1000. Int. from 29th Sept. 1817, an Dec. 30, 1818. Sundry costs in each case.

45
1821.
Nov'r 26,
Ex'd Record.

DEED POLL—Caleb North, Esq., High Sheriff of th County of Philadelphia, to John Sisty, in fee, for all the on fourth part of the said Benjamin F. Rose, of, in and to th said tract of land (with the Sword Mill thereon erected), co taining 14 acres 114 perches of land, more or less, togethe with the water right. Sold by virtue of the above recite proceedings.

Duly acknowledged in open District Court, the 23d of Sep tember, 1822, and entered among the records thereof i Sheriff's Deed Book C, page 573, &c.

46
1823.
March 20,
Ex'd Record,

DEED—John Sisty and Hannah his wife to Jacob May land, in fee for the same undivided one fourth part of sai 14 acres and 114 perches of land, and water right.

Duly acknowledged the 10th of April, 1823, and recorde the 10th of August, 1825, in Deed Book G W R, No. 5 page 429, &c.

TITLE to Joseph Rose's share (one fourth) of the said llotment "C."

The said Joseph Rose departed this life intestate, seized and ossessed of one undivided fourth part of said premises. 47 Recited.

Letters of Administration of the estate of Joseph Rose, deeased, were granted to Benjamin F. Rose, Jacob Hoffman, r., and John Rose. 48 1819. Sept. 29th, Ex. Record.

Administration Book M, page 184.

At an Orphans' Court for the County of Philadelphia, the etition of the said administrators of the estate of Joseph Rose, eceased, was presented, setting forth, that the petitioners had led a true inventory and appraisement of all the Intestate's ersonal estate, and had filed and settled their accounts in the egister's office, at Philadelphia, agreeably to law. That they ad also filed a true account of all the Intestate's debts and redits which had come to their knowledge; that the personal state of said Intestate was insufficient for the payment of his bts as by the said account appears; and that the said Instate died seized in fee of the several pieces of land in said tition described, being *inter alia*, an undivided fourth part a certain Mill and piece of land, situate in the township of lockley aforesaid, bounded southward by lands of Thomas homas, westward by part of the estate of the said Joseph ose, deceased, northward by land of James Pennel and the id John Rose, and eastward by a piece of land in said petion described, and by lands of Peter Rose and Thomas Davis, ntaining about 14 acres 114 perches. And praying the urt to grant an order of sale of the said real estate, or so uch thereof as the Court should judge necessary for the payent of the said debts. 49 1820. July 21. Ex. Record.

Whereupon the Court ordered that the said Administrators pose the said estate to public sale on the premises, on iday, the 5th day of August, at 1 o'clock, P. M., and sell the me for the best price that can be had therefor, giving due blic and timely notice of the time and place of sale, &c.

O. C. Docket No. 27, page 398, &c.

NOTE—The said 14 acres 114 perches are the first described in the above recited petition.

At an Orphans' Court aforesaid, held as aforesaid, the above named Administrators presented their petition setting forth
50 1822. April 19, Ex'd Record. the above recited order of Court, but that the sale was not made at the time and place appointed. Praying the Court to renew said order and to name a suitable time and place for sale as aforesaid.

Whereupon the Court did order and decree that the said Administrators expose the said premises to public vendue or outcry on the premises on Thursday, the 13th day of June, 1822, at 2 o'clock, P. M. That due public and timely notice of the time and place of sale be given.

O. C. Docket, No. 28, page 178.

At an Orphans' Court aforesaid, held as aforesaid, the Administrators of Joseph Rose, deceased, reported that in pursuance of the order of Court, the sale of the intestate's real estate
51 1822. June 21st, Ex'd Record. was made on Thursday, the 13th day of June instant, when Nathan Jones, of Blockley, became the purchaser of the first described property in the petition presented to the Court, for the sum of ——, which report being read and heard, the Court confirmed the same, and ordered and adjudged that upon the said Administrators giving bond with approved security agreeebly to law and the rules of the Court, the sales so as aforesaid made should be and remain firm and stable to the several purchasers, their respective heirs and assigns forever.

O. C. Docket, No. 28, p. 237.

52 1823. Jan'y 27. At an Orphans' Court aforesaid, held as aforesaid, in the matter of Joseph Rose's estate, it appearing to the Court that certain of the lands and tenements included in the order of sale made on the 21st day of July, 1820, and the several others subsequent thereto, were held by the said Joseph Rose under and by virtue of proceedings in partition had in this Court in the year 1816, in the matter of William Rose's estate, and there remained due thereon for equality of partition to John Rose the sum of $412.43¾, with interest from the 16th of August,

1816, the time of final judgment and decree in said partition to the time of this decree, which sum, principal and interest, amounting to $561.64, the Court directed to be first paid by the administrators of Joseph Rose out of the proceeds of sale of said lands and tenements.

O. C. Docket, No. 28, p. 360.

53
1823.
Feb. 4.

At an Orphans' Court aforesaid, held as aforesaid, the Declaration of the said John Rose, under his hand and seal dated February 3d, 1823, was read and ordered to be filed, acknowledging the receipt of full and entire payment and satisfaction of said sum of money, principal and interest, and exonerating and discharging the estate of the said Joseph Rose, deceased, from all claim whatever for or on account of the same, and from all other claims and demands whatever.

O. C. Docket, No. 28, page 364.

54
1822.
June 29.
Ex. Record.

DEED--Benjamin Rose, Jacob Hoffman, jr., and John Rose, Administrators aforesaid, in pursuance and by direction of the order of Court aforesaid, to Nathan Jones in fee for all that one undivided fourth part which was of the said Joseph Rose deceased, of and in the said 14 acres and 114 perches of land and water right.

Duly acknowledged the same day, and recorded the 8th of July, 1822, in Deed Book J H, No. 4, page 284.

TITLE to Peter Rose's share (one-fourth) of said allotment "C," also the last mentioned one fourth, Joseph Rose's continued.

55
1823.
May 16,
Ex. Record

DEED—Nathan Jones and Mary his wife, and Peter Rose, to the said Jacob Mayland in fee, for one full, equal and undivided moiety or half part of and in the said 14 acres 114 perches of land and water right.

Duly acknowledged the same day, and recorded the 10th of August, 1825, in Deed Book G W R, No. 5, page 426.

TITLE to William Rose's share (one-fourth) of the said allotment "C."

COPY OF CERTAIN DOCKET ENTRIES IN THE SUPREME COURT OF PENNSYLVANIA, E. D.

WARRANT OF ATTORNEY DOCKET. March Term, 1819.

56 E. S. Sargent. 185.	John Warner vs. William Rose. Revived by am. act to D. 1822. No. 130.	D. S. B. $745.04. Judgment entered Aug. 28, 1819, on a bond and warrant of attorney, dated 27th August, 1819, for $745.04 lawful money, conditioned for the payment of $372 50 on or before 27th Novem'r and int. Aug. 28, 1819, judgment, 1823, May 23, satisfied E. S. SARGENT, Att'y.

CONTINUANCE DOCKET. Dec. Term, 1822.

57 129.	Same vs. Same. Fi. fa. to M. 1823. Satisfaction entered on Appearance Docket.	Am. act of Sci. fa. to revive judgment entered on Warrant of Att'y 28th Aug. 1819, ent'd 21st Jany. 1823 by agr't filed dated 18th Jan'y, 1823, to be considered as if sci. fa. had issued and had been returned "made known," and that judgment be entered for Plaintiff for sum of $447.97, 21st January, 1823, judgment accordingly.

EXECUTION DOCKET. March Term, 1823.

58 19.	Same vs. Same.	Fi. fa. debt exit 20th Feb. 1823. Real debt $447.97. Int. from 21 Jan. 1823 Sundry costs.	Act. to D. 22, 13 D.S.B. M. 19, 18 Lev. on real estat Inquisition hel and condemned.

EXECUTION DOCKET. July Term, 1823.

59 1.	Same vs. Same.	Ven. Exp. exit M. 1823 Real Debt $447.97. Int. from 21 Jan. 1823. (Sundry costs.)	Fi.fa. to M. 23, No. 1 7th April, 1823, sol to Edward Roberts th first described prem ses, and to Jacob Ma land for $1,465, th second described pr mises, and the thir described for $205.

Jacob G. Tryon, Sheriff, died soon after making this sale, vithout having executed a deed for the premises to the said acob Mayland, and the said Jacob Mayland having on the 6th of December, 1824, applied to the Justices of the Court foresaid by petition, stating his purchase aforesaid and payient of the purchase money, and that no deed had been exeuted to him for said premises. And praying the said Court o order and direct that John Douglass, Esq., the then present heriff, should perfect the title by executing a deed to the petioner agreeably to the act of Assembly in such case made nd provided, and the said Court having duly considered the ame, and being satisfied of the premises, granted the prayer f the petiton, and directed the title to be perfected accordngly.

60
Recited in the following Deed Poll.

In the Minute Book of the Supreme Court, under date of 'hursday, December 20th, 1824, there is a record of the petiion of Jacob Mayland, and order of Court granting the prayer ereof.

DEED POLL--John Douglass, Esq., High Sheriff of the ounty of Philadelphia, to Jacob Mayland in fee for (*inter alia*) ll that one full, equal, undivided fourth part of him the said Villiam Rose, of and in the said 14 acres and 114 perches of nd and water right.

61
1824.
Dec'r 19,
Ex'd Record.

Duly acknowledged in open Supreme Court the 1st of Jan'y, 825, and entered among the records thereof in Book E, page 8. Also recorded Aug. 10, 1825, in the office for recording eeds, &c. in Deed Book G W R, No. 5, page 431.

62
1831.
June 16,
Ex'd Record.

DEED POLL--Peter Rose to Jacob Mayland, his heirs and ssigns, for certain dam and water privileges.

Duly acknowledged the same day, and recorded the 18th of uly, 1831, in Deed Book A M, No. 14, page 339, &c.

63
1849.
July 21,
Ex'd Record.

WILL of Jacob Mayland, wherein and whereby among her things he appointed Charles H. Cheyney, John Bacon and homas Williamson, Executors, and did will as follows:

"Eleventh. For the payment of my debts, for the partition

"and division of my residuary estate or for any other purpo
"of my will. I hereby authorize and empower my executo
"and the survivors and survivor of them at such time or tim
"as they or he may deem most prudent and advisable by pu
"lic or private sale or sales to sell and dispose of the whole
"any part, parts or portions of my real estate not specifical
"devised by this my will. And to grant and convey the sai
"to the purchaser or purchasers in fee simple, with or witho
"the reservati3n of rent and without liability on the part
"any purchaser in regard to the application of any purchase
"extinguishment money."

Duly proved the 3d of September, 1849, and registered Philadelphia in Book of Wills No. 23, page 50.

64
1849.
Sept'r 3.

Letters Testamentary on the above recited Will were gra ted to the three executors above named.

65
1849.
Sept r 17,

By writing filed in the Register's office, the widow of Jac Mayland elected to take under his will.

66
1852.
Nov'r 9,
Ex'd Record

DEED—Charles H. Cheyney, John Bacon, and Thom Williamson, Executors aforesaid, to William A. Simpson fee for the messuage, mill and lot or piece of ground last scribed, containing 15 acres 13 perches, together with the da and water rights aforesaid (sold at public sale by M. Thon & Sons, auctioneers, on the 19th of October, 1852, after f notice.) Subject to the payment of $6000, part of the pu chase money to be secured by an Indenture of Mortgage to given at the execution of the deed now reciting.

Duly acknowledged the same day, and recorded the 13th November, 1852, in Deed Book T H, No. 52, page 182.

The said Indenture of Mortgage was satisfied of reco September 8th, 1868.

Mortgage Book T H, No. 16, page 242.

67
1852.
Nov'r 10,
Ex'd Record.

DEED—William A. Simpson and wife to Morton P. Her in fee for the same premises, subject to said mortgage debt.

Duly acknowledged the same day, and recorded the 13th November, 1852, in Deed Book T H, No. 52, page 179.

DEED—Morton P. Henry to Mary Sheldrake, in fee, for
ıter alia) the triangular lot of ground marked B, on the plan
o. 1, hereto annexed, being part of the last described prem- 68
:s. Beginning at a stake in the centre of Walnut street, in 1853.
e line of land of said Mary Sheldrake, this day granted to April 9,
id Morton P. Henry, then along said line S. 59° 3′, E. 333 Ex. Record.
t to a point in the middle of Mill creek, then up the middle
said creek 115 feet 6 inches to the middle of Walnut street.
n along the middle of Walnut street S. 79° 8′, W. 326 feet
nches to the place of beginning.
)uly acknowledged the 12th of April, 1853, and recorded
5th of May, 1853, in Deed Book T H, No. 82, page 257.

)EED—Mary Sheldrake, widow to Gilbert S. Parker in fee 69
all that tract of land with the buildings thereon erected 1853.
nposed of the whole of the aforesaid tract of $20\frac{3}{4}$ acres, (ex- April 11,
ting the triangular lot lying North of the middle of Walnut Ex'd Record.
et, see Plan No. 2), the above described triangle and another
ngular piece lying West of Forty-fifth street, described as
ows: Beginning at a point in the centre of Walnut street
the centre of Mill creek, being also a corner of this and
rton P. Henry's land, thence down the middle of said Mill
k 115 feet 6 inches to another point in the centre of said
k, near a stone set by a maple tree, then still further down
creek S. $14\frac{1}{4}$, W. 8 perches, thence S. $34\frac{3}{4}°$, E. $8\frac{4}{10}$ perches
white oak tree, thence by land formerly of Elizabeth Jones
ased, S. 84°, W. $21\frac{5}{10}$ perches to a small tree, thence by the
e N. $59\frac{1}{4}°$, W. 22 perches to a stone, thence still by the
e lands and land formerly of Peter Rose, deceased, S. $36\frac{1}{2}°$
$70\frac{6}{10}$ perches to a stone, thence by land formerly of William
ham, N. $6\frac{1}{4}°$ W. 59 perches to a stone, thence S. $84\frac{1}{2}°$, E,
rches to a stone, thence N. $6\frac{3}{4}°$, W. $14\frac{2}{10}$ perches to a stone,
ce by land formerly of William Rose, deceased, N. 79°, E.
erches more or less to a corner of this and said Rose's
, now Shetzline, then by the same N. 30° 8′, W. 202 feet
hes to a stake in the centre of said Walnut street and in
line of land formerly of William Rose, then along the

centre of Walnut street S. 79° 8′, E. 1445 feet 11 inches mor or less to the centre of Mill creek, the place of beginning, con taining 21 acres $2\frac{86}{100}$ perches.

Duly acknowledged the same day, and recorded the 5th o May, 1853, in Deed Book T H, No. 82, page 243, &c.

70
1863.
Dec'r 19,
Produced.
U. S, Revenue
Stamp $20.

DEED—Gilbert S. Parker to Philip S. Justice, in fee, fo all that certain lot or piece of ground (part of the last des cribed premises, beginning on the south line of Walnut stree at the distance of 200 feet E. from Forty-sixth street, thenc along the south line of said Walnut street 200 feet, thence b other ground granted to said Philip S. Justice, the three fol lowing courses and distances, to wit: S. 11° 1′, W. 175 feet 4 inches, thence S. 78° 59′, E. crossing Forty-fifth street 46 feet, thence S. 11° 1′, W. 180 feet $10\frac{5}{8}$ inches, thence by lan formerly of Elizabeth Jones N. 59° 37′, W. 231 feet $0\frac{1}{4}$ inch thence S. 36° 47′ 10″, W. 558 feet 9 inches, thence by othe ground granted to said Philip S. Justice, the five followin courses and distances, to wit: N. 11° 1′, E. 179 feet $8\frac{3}{4}$ inches N. 78° 59′, W. 100 feet, N. 11° 1′, E. crossing Locust stree 425 feet $4\frac{1}{2}$ inches, thence N. 78° 59′, W. 100 feet, and thenc N. 11° 1′, E. 175 feet $4\frac{1}{2}$ inches to the place of beginning.

Duly acknowledged the same day, and recorded the 25th c January, 1864, in Deed Book L R B, No. 1, page 216.

71
1863.
Dec'r 19,
Produced.
Stamp $2.

DEED—Gilbert S. Parker to Philip S. Justice, in fee, for al that certain lot of ground (other part of said premises) situat on the south side of said Walnut steeet and East side of Fort fifth street, containing in front on said Walnut street 100 fee and extending in depth southward 175 feet $4\frac{1}{2}$ inches.

Reserving thereout a yearly ground rent of $120, payabl half yearly on the first day of the months of January and Jul in every year forever.

Duly acknowledged the same day, and recorded the 25th c January, 1864, in Deed Book L R B, No. 1, page 237.

72
1863,
Dec'r 19
Produced,
Stamp $2.

DEED—Gilbert S. Parker to Philip S. Justice in fee, fo all that certain lot of ground situate on the south side of Wal

t street 100 feet eastward from Forty-fifth street, containing front on Walnut street 100 feet, and in depth southward 175 et 4½ inches.

Reserving thereout a yearly ground rent of $120, payable lf yearly on the first day of the months of January and July every year forever.

Duly acknowledged the same day, and recorded the 25th of nuary, 1864, in Deed Book L R B, No. 1, page 264.

DEED—Gilbert S. Parker to Philip S. Justice, in fee, for that certain lot of ground situate on the south side of Wal. ; street, at the distance of 200 feet eastward from Forty-fifth eet, containing in front on Walnut street 100 feet and in)th southward 175 feet 4½ inches. 73 1863, Dec'r 19, Produced, Stamp $2.

Reserving thereout a yearly ground rent of $120, payable f yearly on the first day of the months of January and July very year forever.

)uly acknowledged the same day, and recorded the 25th of uary, 1864, in Deed Book L R B, No. 1, page 255, &c.

)EED--Gilbert S. Parker to Philip S. Justice in fee for al certain lot of ground situate on the south side of Walnut et and west side of Forty-fourth street, containing in front Walnut street 100 feet and in depth southward 175 feet 4½ ies. 74 1863. Dec'r 19, Produced, Stamp $2.

eserving thereout a yearly ground rent of $120, payable yearly on the first day of the months of January and July very year forever.

uly acknowledged the same day, and recorded the 25th of ıary, 1864, in Deed Book L R B, No. 1, page 232.

EED.—Gilbert S. Parker to Philip S. Justice, in fee for hat certain lot of ground situate on the north side of ıst street, and west side of Forty-fourth street, contain- in front, on Locust street, 100 feet, and in depth north- l 175 feet 4½ inches. Reserving thereout a yearly ground of $90, payable half yearly on the first day of the months nuary and July, in every year forever. 75 1863. Dec'r 19. Produced, Stamp $2.

ıly acknowledged the same day, and recorded the 25th of ary, 1864, in Deed Book L R B, No. 1, page 317, &c.

76
1863,
Dec, 19,
Produced.
Stamp $2,

DEED—Gilbert S. Parker to Philip S. Justice, in fee f
all that certain lot of ground situate on the south side of Wa
nut street, and east side of Forty-fourth street, containing
front on said Walnut street 100 feet, and in depth southwa
of that breadth at right angles with Walnut street 358 fe
$2\frac{1}{8}$ inches on the east line, and 387 feet $11\frac{3}{4}$ inches on the we
line to ground formerly of Elizabeth Jones. Reserving ther
out a yearly ground rent of $120, payable half yearly on t
first day of the months of January and July, in every ye
forever.

Duly acknowledged the same day, and recorded the 2
of January, 1864, in Deed Book L R B, No. 1, page 322, &

77
1863.
Dec, 19.
Produced
Stamp $1,

DEED—Gilbert S. Parker to Philip S. Justice in fee,
all that certain lot of ground situate on the south side
Walnut street, at the distance of 100 feet eastward from
east side of Forty-fourth street, thence extending along
south line of said Walnut street 147 feet $5\frac{5}{8}$ inches, to
middle of Mill Creek, thence down said Creek the seve
courses thereof, to ground formerly of Elizabeth Jones, ther
by said ground S. 84° 25′ 30′, W. 223 feet 2 inches, ther
N. 11° 1′, E. 358 feet $2\frac{1}{8}$ inches to the place of beginni
Reserving thereout a yearly ground rent of $60, paya
half yearly on the first day of the months of January a
July in every year forever.

Duly acknowledged the same day, and recorded the 25th
January. 1864, in Deed Book L R B, No. I, page 228.

Title to the two triangular pieces of ground marked C,
the plan No. 1, hereto annexed.

78
1798
June 30,
Ex'd Record

DEED,—Mary Thomas, Peter Rose and wife, William R
and wife, and Sarah Robinson to Elizabeth Jones in fee,
all that certain parcel of land (part of the aforesaid 129 acr
beginning at a stone on the side of Mill Creek, a corner
Peter Rose's land, then by the same N. $57\frac{3}{4}$°, W. $89\frac{8}{10}$ perch
to a stone then by land of Mary Thomas N. $36\frac{1}{2}$ E. 53 perch
to a stone then by the same S. $59\frac{1}{4}$, E. 22 perches to a

hence by the same land N. 84° E. $21\frac{5}{10}$ perches, to a White ak on the side of Mill Creek, thence along said Creek the everal courses thereof as follows, to wit, S. $18\frac{3}{4}$° W. 18 erches, S. 4° E. 4 perches, S. 34° E. $4\frac{3}{10}$ perches, S. $15\frac{3}{4}$ W. $\frac{3}{10}$ perches, S. $22\frac{1}{4}$ W. 9 perches, S. $51\frac{1}{4}$ E. $4\frac{5}{10}$ perches, S. $7\frac{1}{4}$ E. 5 perches, S. 30° E. 5 perches, S. $9\frac{3}{4}$ E. 4 perches, S. 9° E. $18\frac{2}{10}$ perches, S. $60\frac{1}{2}$ W. $6\frac{5}{10}$ perches, S. $9\frac{1}{4}$ E. 13 perches nd S. 16 E. $6\frac{5}{10}$ perches to the place of beginning, containing $2\frac{3}{4}$ acres.

Duly acknowledged the same day and recorded the 3d of larch, 1819, in Deed Book G W R, No. 22, page 496, &c.

WILL of Elizabeth Jones, wherein and whereby among ther things she gave and bequeathed the tract of land and remises last described unto her son Peter Jones, to him and is heirs forever. 79 1815. May 8, Eb'd Record.

Duly proved the 22d of November, 1817, and registered at 'hiladelphia in Book of Wills No. 6, page 531.

WILL of Peter Jones, wherein and whereby he did among ther things Will as follows: "I give and devise to my ne-hew Augustus C. Jones, his heirs and assigns forever, all my act of land and buildings thereon erected, situate in lower Blockley Township, Philadelphia county, where I now reside, ontaining 22 acres more or less. * * Provided he com-ortably maintain and support my wife on the said tract of nd in the usual manner she has been accustomed to, as long s she remains unmarried, &c. Such maintenance to be in eu of dower. 80 1833. August 6, Ex'd Record.

And of his said Will the Testator appointed his nephew ugustus C. Jones and his friend Alexander Pyott, Ex-cutors.

Duly proved the 26th of November, 1833, and registered at 'hiladelphia in Administration Book O, page 104.

By writing filed in the Register's Office, the said Augustus . Jones and Alexander Pyott renounced and declined to take ut Letters Testamentary of said estate. 81 1833. Nov'r 18,

Administration Book O, page 104.

82
1833.
Dec'r 6,
Ex'd Record.

Letters of Administration were granted unto Isaac Norri to the estate of Peter Jones (c. t. a.)

Administration Book O, page 104.

83
1834,
Feb'y 21,
Exam'd petition

At an Orphans' Court held at Philadelphia, for the count of Philadelphia, the petition of Isaac Norris, Administrato c, t. a., aforesaid, was presented, setting forth that the saic Peter Jones died leaving a widow but no children. That th personal estate of the said Peter was insufficient for the pay ment of his debts, &c., and that the said Peter died seized i his demesne as of fee of all that certain two story stone mes suage, barn and lot or parcel of land (therein described an being the last described premises), containing $22\frac{3}{4}$ acres c land; and praying the Court to grant him an Order to mak sale of the same for the payment of the debts of the said Pete Jones' estate.

Whereupon the Court on due proof and consideration of th premises, did order and decree that the said Administrato make sale of the said real estate for the purposes set forth i the petition. That the same be sold by public vendue c outcry, and that due public and timely notice of the time an place of sale be given according to law, and agreeably to th rules of this court.

84
1834.
March 21,
Ex'd Report.

At an Orphans' Court aforesaid, held as aforesaid, Isaa Norris, Administrator, presented his report: "That in pur suance of the order of Court thereto annexed, having give due public and legal notice for more than twenty days of th time and place of sale by advertisements in several newspa pers published in the city, and by hand-bills affixed in mor than three of the most public places in the vicinity of the pr mises, &c, he did on Thursday the 20th day of March, A. I 1834, upon the premises, expose the land and premises therei mentioned to public sale, by C. J. Wolbert, Auctioneer, an sold the same to Augustus C. Jones for the sum of $3,400, h being the highest bidder, and that the highest and best pri bidden for the same; which sale so as aforesaid made h prayed might be confirmed by the Court.

Whereupon the Court, on due consideration, confirmed the ame accordingly.

(Surety entered. See B. B, Real Estate R A, No. 2, page 10.)

DEED—Isaac Norris, Administrator, c. t. a., as aforesaid, o Augustus C. Jones, in fee, for said Messuage, barn and ract of land aforesaid, containing 22¾ acres, more or less. 85 1834. March 28, Ex'd Record.

Duly acknowledged the same day, and recorded the 7th of May, 1834, in Deed Book A M, No. 48, page 724.

DEED.—Augustus C. Jones and wife to L. Ney Brognard nd Mary B. Brognard in fee, for *inter alia*, all that certain ot or piece of ground (part of said 22¾ acres), beginning at he easterly side of a White Oak on the westerly side of Mill reek, a corner of this and Sheldrake's land, thence S. 84° 5′, W. 292 feet to the middle of Locust street, thence along ie middle of Locust street S, 78° 59′, E. 281 feet 9 inches the west side of Mill Creek, thence up the same to the place f beginning. 86 1854. Sep't 1, Ex'd Record.

Also all that certain lot of ground (other part of said 22¾ cres), beginning in the middle of Locust street at the dis- ance of 63 feet east of the middle of Forty fifth street, thence xtending along the middle of said Locust street S. 78° 59′, . 334 feet 5 inches to the line of land late of Sheldrake, then long said line N. 59° W. 229 feet 9 inches to a corner thereof, ien still by the same S. 36° 48′, W. 114 feet 9¾ inches to the iddle of Locust street and place of beginning.

Duly acknowledged the 30th of October, 1854, and recorded ie 27th of November, 1854, in Deed Book T H, No. 178, age 205.

DEED.—L. Ney Brognard and wife and Mary B. Brog- ard, to Sophia M. Brognard, in fee for (*inter alia*) the first escribed of the two triangular lots described in the Deed last oresaid. 87 1858. April 28, Ex'd Record

Duly acknowledged the same day and recorded the 14th of ay, 1858, in Deed Book A D B, No. 14, page 288.

88
1867.
June 14,
Produced,
Ssamp $1.
Consid'n $1000

DEED.—Sophia M. Brognard, single woman, to Philip S
Justice, in fee for (*inter alia*) the lot of ground last aforesaid.
Duly acknowledged the same day, and recorded the 28th o
April, 1865, in Deed Book J T O, No. 136, page 415.

89
1860.
Feb'y 24,
Produced,

DEED.—Mary B. Brognard, single woman, to L. Ney Brog
nard, in fee for all her one full equal and undivided moiet
of and in the triangular lot of ground second described in th
aforesaid Deed, from Augustus C. Jones and wife (No. 8
supra).
Duly acknowledged the same day, and recorded the 2d
March, 1860, in Deed Book A D B, No. 102, page 450.

90
1860.
Oct'r 16,
Produced.

DEED.—Laberdoyer Ney Brognard and wife to John M
Mitchell, in fee, for the lot of ground last aforesaid.
Duly acknowledged the same day and recorded the 17th
October, 1860, in Deed Book A D B, No. 134, page 320.

TITLE to the ground lying between Mill Creek and Fort
third street, marked D on the plan No. 1 hereto annexed.

91
1743.
Feb'y 22,
Ex'd Record.

DEED.—Richard Pearne and wife to Andrew Hamilto
in fee, for a certain tract or parcel of land (part of the afor
said 194 acres; see No. 18 supra); beginning at two corn
marked Black Oaks on the point near the mouth of Mill Cree
thence up the river Schuylkill N. 79° E. 36 perches, then
N. 73° E. 8 perches to a corner Black Oak tree on Schuy
kill side or bank, thence N. 24° W. 225 perches by a line
marked trees and land late of Stephen Jackson, deceased,
the Mill Creek, near a White Oak sapling in the said li
marked for a corner, then down the several courses of t
said Creek to a stake near the flood-gate, belonging to Lew
Jones' Mill, thence S. 52° W. 9 perches, to two mark
White Oaks by the Mill race side, then S. 9° W. 6 perch
and S. 34° W. 7 perches to a stake near the said race, th
S. 45° E. 58 perches, by a line of marked trees of the M
land now belonging to Lewis Jones, to a marked White O
sapling, then S. 30½° E. 39½ perches to a Spanish Oak mark
for a corner tree, then S. 19° W. 25 perches to a mark

corner Chestnut tree at the point of a rock near the Mill-creek, then S. 53° E. 6 perches to a stake, then S. 16° E. 18 perches to the place of beginning, containing by computation 56 acres.

Duly acknowledged the same day, and recorded the 4th of July 1746, in Deed Book G, No. 8, page 35, &c.

92 Recited.

And by virtue of divers mesne conveyances, and assurances in the law, and more especially by the will of Andrew Hamilton, the elder, dated July 31, 1741, and recorded in Will-book F, page 233, &c., and a deed from Richard Pearne and wife, dated February 22d, 1743, and recorded in Deed Book G, vol. 8, page 35, &c., and another Deed from the Trustees of the General Loan Office and Priscilla Williams, sister and heiress of Stephen Jackson, deceased, dated January 15, 1745, and recorded in Deed Book I C, No. 5, page 674, about 350 acres of land in Blockley township, lying on the river Schuylkill and on the easterly side of Mill Creek, part of 545 acres aforesaid, became vested in Andrew Hamilton, gentleman, in fee simple.

93 Recited.

The said Andrew Hamilton being so seized of the said premises departed this life, having first made and published his last will and testament.

94 1747. Aug't 27, Ex'd Record.

WILL of the said Andrew Hamilton, wherein and whereby he did give and devise unto his son William Hamilton, all his, the said Testators' plantation on the west side of Schuylkill, containing about 356 acres, to hold the same unto him the said William Hamilton his heirs and assigns forever.

Duly proved the 14th of September, 1747, and registered at Philadelphia in Book of Wills H, page 372.

95 1810. June 4, Ex'd Record.

DEED OF GIFT—William Hamilton, Esq., of the Woodlands, to George Hilton and William Hilton, in fee, as tenants in common, for a certain tract or piece of Woodland and Quarry ground situate in Blockley township aforesaid, beginning at a stake in Rose's line, then S. 86°, W. $29\frac{85}{100}$ perches to a stake in an old worked quarry, thence S. $25\frac{1}{2}$°, W. 5 perches

to the middle of mill creek, then down the middle of the same the several courses thereof to a spot opposite to a marked willow on the east side of said creek and on the upper side of a road, thence to the said willow, thence along said road N. 79° E. 14 perches, and N. $52\frac{1}{2}°$, E. $10\frac{5}{100}$ perches to a marked poplar, thence N. 86°, E. 11 perches, thence N. $11\frac{1}{2}$, E. $47\frac{55}{100}$ perches to the place of beginning, containing 10 acres more or less.

Duly acknowledged the same day, and recorded the 7th of June, 1810, in Deed Book I C, No. 10, page 578, &c.

96 Recited.

And the said George Hilton being so seized of and in one undivided moiety of said 10 acres, died intestate and without issue, but leaving a widow named Eliza, who agreeably to the intestate laws of Pennsylvania, became entitled to one moiety of her late husband's estate in said premises for the term of her life, and the remainder vested in Frances Hilton, widow (his mother), for the term of her natural life and after the death of the said Eliza and Frances in the said William Hilton (his brother) as his heir at law.

97 1813 March 3. Ex'd Record.

DEED—The said Eliza Hilton, widow, in consideration of $200 to said Frances Hilton, widow, her heirs and assigns, for all her estate and interest in said 10 acres.

Duly acknowledged the same day, and recorded the 25th of August, 1813, in Deed Book I C, No. 24 page 718.

98 1813. Aug't 21, Ex'd Record.

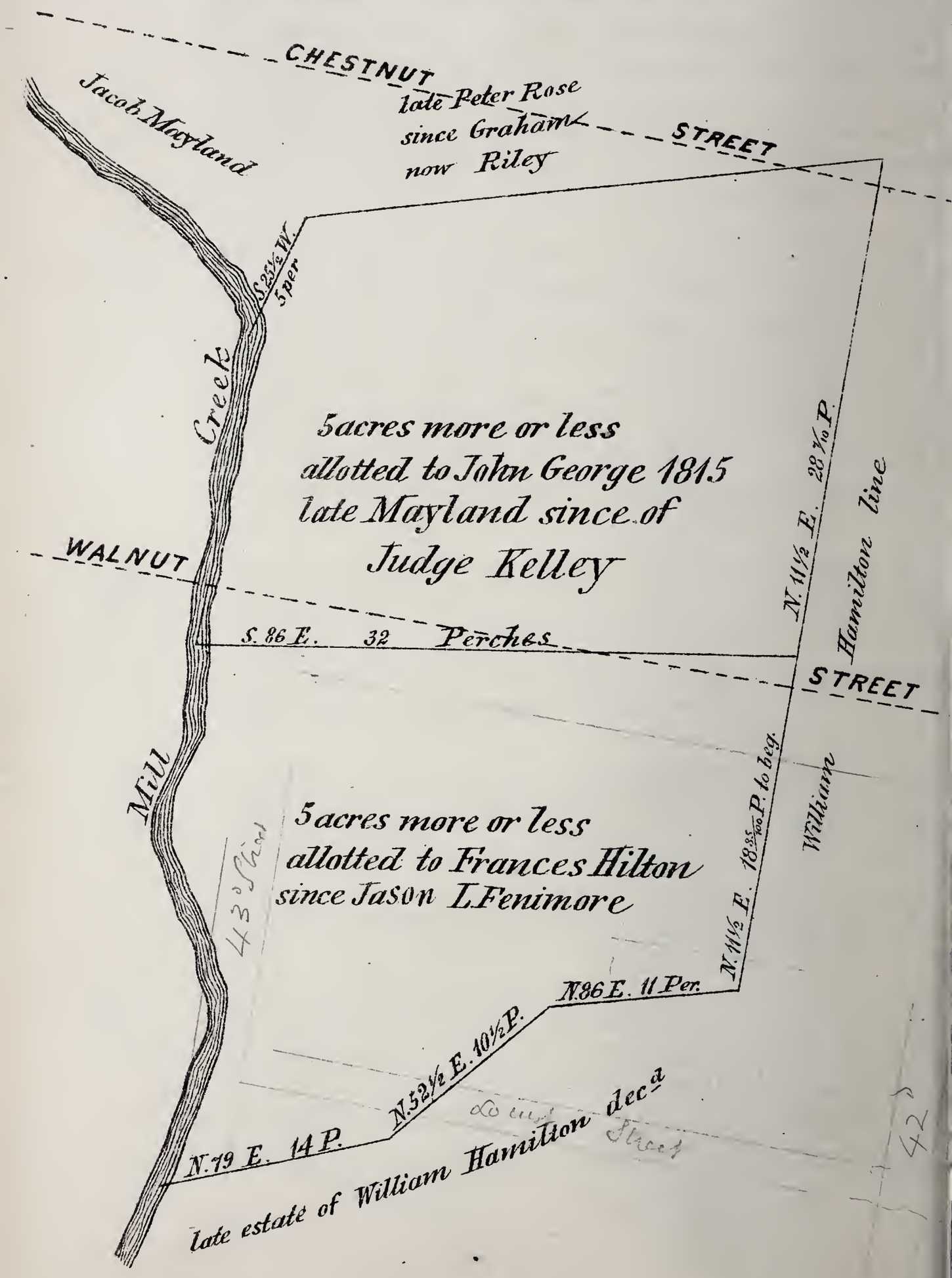
DEED—The said William Hilton and Catharine his wife to John George in fee for all their one full, equal, undivided moiety of said tract of land and quarry ground, containing 10 acres.

Duly acknowledged the same day and recorded the 30th of October, 1818, in Deed Book M R, No. 22, page 15, &c.

99 1814, June 1d, Ex'd Record.

DEED—The said William Hilton and wife to the said Frances Hilton, widow, in fee for his remaining moiety, described as all that tract or piece of woodland and quarry ground situate in Blockley aforesaid, bounded on the north by property belonging to , on the west by Rose's line, on

Plan of the division of said 10 acres.



e south by property belonging to James Hamilton, and on e east by the same, containing by computation 5 acres more less (being part of said 10 acres).

Duly acknowledged the same day, and recorded the 16th of arch, 1815, in Deed Book M R, No. 3, page 239.

Whereas, it was the intention of the said William and wife the last above deed, to have conveyed the whole of their maining estate and interest in and to the said tract of 10 res, but as some doubts are entertained on account of the perfect description contained therein, and the quantity being ecified 5 acres instead of 10 acres, they, the said William ilton and Catharine his wife, consented to be parties to the esent Indenture in order to remove the aforesaid doubt and perfect the title to said premises by conveying all their tate therein to the parties of the first and third parts respec-ely.

100
Recited in the next Deed.

And whereas, the said parties of the first and third parts reto have mutually agreed upon a partition and division of d 10 acres of land by a division line running through the ddle thereof, so that the said Frances Hilton and her heirs all have and hold for her and their one moiety the southern acres thereof, and the said John George and his heirs shall ve and hold for his and their one moiety in severalty the rthern 5 acres thereof.

DEED TRIPARTITE—Between Frances Hilton, widow, the first part, William Hilton and wife of the second part, d John George of the third part, whereby the said parties the second and third parts, in consideration of the premises l $1, did grant, release and confirm unto the said Frances lton and her heirs in severalty all that the southern moiety the said tract of 10 acres, beginning at a stake where the ision line of this and the other moiety enters the line of d late the estate of William Hamilton deceased, thence along d division line, N. 86°, W. 32 perches more or less, to the ddle of mill creek, thence down the middle of said creek the eral courses thereof to a spot in said creek near a marked

101
1815.
May 15.
Ex, Record.

willow, thence by said land late of William Hamilton, deceased N. 79°, E. 14 perches to a corner, then N. 52½°, E. 10^{5}_{10} perches to a marked poplar, then N. 86°, E. 11 perches to a corner and N. 11½, E. 18^{85}_{100} perches to the place of beginning, containing 5 acres more or less.

Duly acknowledged by W. Hilton and wife the 18th May, 1815, and by Frances Hilton and John George the 26th of May, 1815, and recorded the 13th of July, 1815, in Deed Book M R, No. 2, page 650.

102
1815.
May 26th,
Produced.

DEED—Frances Hilton to Thomas Davis, in fee, for the same 5 acres of lond.

Duly acknowledged the same day, and recorded the 13th July, 1815, in Deed Book M R, No. 2, page 654.

103
1846.
April 8,
Produced.

DEED—Endorsed Thomas Davis and wife to Lewis Pelaski in fee for the same 5 acres of land.

Duly acknowledged the same day, and recorded the 10th April, 1846, in Deed Book A W M, No. 7, page 339.

104
1846.
Nov'r 28,
Produced.

DEED—Lewis Pelaské and wife to Jason L. Fenimore in fee for the same 5 acres last aforesaid.

Duly acknowledged the same day, and recorded the 1st December, 1846, in Deed Book A W M, No. 22, page 25 &c.

105
1866.
May 7,
Produced.
Consid'n $750,
Stamp $1.

DEED—Jason L. Fenimore to Philip S. Justice in fee of all that certain lot of ground situate in the then Twenty-fourth now Twenty-seventh ward of the city of Philadelphia (part of said 5 acres), beginning at the southwest corner of Forty-third street (60 feet wide) and Walnut street, thence westward along the south side of said Walnut street 60 feet $0\frac{7}{8}$ of an inch to the middle of mill creek, thence down the middle of mill creek the several courses thereof by ground of said Philip S. Justice to the west side of said Forty-third street, and thence northward along the west side of said Forty third street 281 feet 2 inches to the beginning.

Duly acknowledged the same day, and recorded the 19th May, 1866, in Deed Book L R B, No. 174, page 550.

So that the said Philip S. Justice became by the said sev-
al conveyances (Nos. 70, 71, 72, 73, 74, 75, 76, 77, 88 and 106
)5) owner in fee of and in (*inter alia*) the whole
the two blocks of ground lying respectively between Forty-
ird and Forty-fourth streets and Forty-fourth and Forty-fifth
reets and between Walnut and Locust streets, excepting the
angular lot marked "C" on the Plan No. 1, between Forty-
urth and Forty-fifth streets.

DEED—Philip S. Justice and wife to Albert S. Letchworth
fee for (*inter alia*) the said ten several lots hereinbefore des-
ibed (Nos, 70, 71, 72, 73, 74, 75, 76, 77, 88 and 105). As 107
spects No. 70, together with the right of soil of all such parts 1867.
said tract not contained within the bounds of said lot as are Oct'r 22, Produced. Con. $25000. Stamp $25.
cupied by Locust street, Forty-fifth street and Forty-fourth
reet, and excepting and reserving thereout two certain lots
ot included in the premises in question.) As respects Nos.
, 72, 73 and 74, subject to the payment of a yearly ground
nt of $120. As respects No. 75 to the payment of a yearly
ound rent of $90. As respects No. 76 to the payment of a
arly ground rent of $120, and as respects No. 77 to the pay-
ent of a yearly ground rent of $60, as hereinbefore mentioned.
Duly acknowledged the 3d of March, 1868, and recorded
e 28th April, 1868, in Deed Book J T O, No. 136, page 245.

DECLARATION OF TRUST by the said Albert S. Letch-
orth, as follows: Whereas, Philip S. Justice and wife by 103
denture bearing *even* date herewith, but executed before 1867. Oct'r 29. Produced.
ese presents, &c., granted and conveyed unto Albert S.
tchworth in fee all those twenty-nine lots or pieces of
ound situate on Walnut, Locust, Spruce, Pine, Forty-third,
orty-fourth, Forty-fifth and Forty-sixth streets respectively,
the Twenty-seventh ward of the city of Philadelphia, and
erein particularly described, with the appurtenances, except
therein excepted, and subject to the payment of certain
arly ground rents therein mentioned.
NOW KNOW YE that the said Albert S. Letchworth doth
reby acknowledge and declare that the purchase money of

the said premises so conveyed to him as aforesaid, was th
proper money in equal proportions of the said Philip S. Justice
of Victor A. Sartori, and of himself the said Albert S. Letch
worth, and that he the said Albert S. Letchworth shall an
will stand seized of the said premises with the appurtenances
subject as aforesaid to and for the only proper use and behoo
of the said Philip S. Justice, Victor A. Sartori and Albert S
Letchworth, their heirs and assigns in equal third parts a
tenants in common.

Duly acknowledged the 21st of January, 1870, and recorde
the 22d of January, 1870, in Deed Book J A H, No. 3, p. 56

109
1867.
Dec'r 19,
Produced.
Con-id'n $2500.
Stamp $4.50,

DEED—John M. Mitchell and wife to the said Albert S
Letchworth in fee for the said triangular lot between Forty
fourth and Forty-fifth streets, on Locust street, marked "C
on the Plan 1 hereto annexed (see No. 90), subject to the pay
ment of a certain mortgage debt of $2000 secured thereon b
Indenture of mortgage given by Laberdoyer Ney Brognard t

Satisfied.

the Fame Insurance Company, recorded in Mortgage Boo
A D B, No. 49, page 556.

Duly acknowledged the same day, and recorded the 17th
June, 1868, in Deed Book J T O, No. 156, page 25.

110
1871.
June 19,
Produced.
Con'd $97,500,
Stamp $97,50,

DEED—Albert S. Letchworth and wife, Philip S. Justic
and wife, and Victor A. Sartori, to Edward G. Cummins i
fee for fourteen certain lots or pieces of ground, parts of N
70, the whole of Nos. 71, 72, 73, 74, 75, parts of 76, 77 and 8
the whole of 105 and parts of 109 supra. The *first*, *secon*
third, *fourth* and *fifth* being lots Nos. 71, 72, 73, 74 and 7
hereinbefore described, the *sixth*, *seventh* and *eighth* bein
parts of Nos. 70 and 109, situate on the north side
Locust street, and east side of Forty fifth street, containir
together on said Locust street 300 feet and in depth northwa
of that width 175 feet $4\frac{1}{2}$ inches (each lot being 100 feet
front). The *ninth* being part of No. 76, situate on the sou
side of Walnut street, and east side of Forty-fourth stree
containing in front on said Walnut street 100 feet, and in dept
southward 175 feet $4\frac{1}{2}$ inches. The *tenth* being part of No. 7

uate on the south side of Walnut street, at the distance of 0 feet eastward from said Forty fourth street, containing in ont on said Walnut street 100 feet and in depth southward 5 feet 4½ inches. The *eleventh* being part of No. 77 and rt of No, 105, situate on the south side of Walnut street and st side of Forty-third street, containing in front on said alnut street 107 feet 6½ inches and in depth southward 175 et 4½ inches. The *twelfth* being part of 77, 88 and 105, situe on the north side of Locust street and west side of Forty-ird street, containing in front on said Locust street 107 feet inches, and in depth northward 175 feet 4½ inches. The *irteenth* being part of No. 77 and part of No. 88, situate on e north side of Locust street at the distance of 107 feet 6½ hes westward from Forty-third street, containing in front on id Locust street 100 feet and in depth northward 175 feet 4½ hes. The *fourteenth* being part of No. 76, situate on the rth side of Locust street and east side of Forty-fourth street, ntaining in front on said Locust street 100 feet and in depth rthward 175 feet 4½ inches, subject as respects the first, se-nd, third and fourth described of said lots to the payment of early ground rent of $120 each; as respects the lot fifth scribed to the payment of a yearly ground rent of $90; as spects the lots ninth and fourteenth described to the payment the yearly ground rent of $120 (charged on the lot No. 76, which they are parts); and as respects the tenth and those rts of the eleventh, twelfth and thirteenth, formed of No. 77 ora, to the payment of the yearly ground rent of $60, as here-before set forth.

Duly acknowledged the same day, and recorded the 8th of ly, 1871, in Deed Book J A H, No. 167, page 67, &c.

111
1871.
June 19,
Produced.

FOURTEEN Indentures of Mortgage—The said Edward G. mmins to the said Albert S. Letchworth, Philip S. Justice l Victor A. Sartori in fee, four of them for the sum of $5500 h, secured respectively on the said lots of ground, first, se-nd, third and fourth, described in the last recited Indenture. ree of them for the sum of $5000 each, secured respectively

on the said lots of ground sixth, seventh and eighth, describe in said last recited indenture. Three others of them for th sum of $3,500 each, secured respectively on the said lots c ground fifth, thirteenth and fourteenth, described in said las recited indenture. Two others of them for the sum of $700 each, secured respectively on the said lots of ground ninth an tenth, described in said last recited indenture. One other c them for the sum of $7,333.33, secured on the lot of groun eleventh, described in said last recited indenture. And th other of them for the sum of $3,666.67, secured on the lot c ground twelfth, described in said last recited indenture.

Which said fourteen mortgages were given to secure part c the consideration money in said last recited indenture, and ar payable at any time within ten years from their respectiv dates.

Duly acknowledged the 24th of June, 1871, and recorde the 8th of July, 1871, in Mortgage Book J A H, No. 141, p 39, 43, 46, 50, 54, 58, 62, 66, 70, 74, 78, 82, 86 and 91 respe tively.

112
1871.
Juns 19.
Produced.

DEED—Edward G. Cummins to Samuel C. Bunting, junic in fee for the said fourteen lots of ground last aforesaid, subje to the payment of the several yearly ground rents mention in the above indenture (No. 110), and also subject to the pa ment of the fourteen mortgage debts last aforesaid.

Duly acknowledged the 24th of June, 1871, and record the 9th of December, 1871, in Deed Book J A H, No. 20 page 325.

TITLE to the two Ground Rents covering ground in t block lying between Forty-third and Forty-fourth streets a Walnut and Locust streets.

113
1867.
May 24,
Produced.

DEED—Gilbert S. Parker to the Hon. Joseph Allison, fee, for (*inter alia*) the said ground rent of $120 issuing out the lot of ground situate on the south side of Walnut str and east side of Forty fourth street (No. 76 supra), containi in front on said Walnut street 100 feet and extending in dep

outhward of that breadth at right angles with Walnut street 58 feet 2⅛ inches on the east line and 387 feet 11¾ inches on ne west line. Reciting that the ground rents therein described were the separate and exclusive property of the said oseph Allison, and were held by the said Gilbert S. Parker n trust for the said Joseph Allison, his heirs and assigns, nd were to be conveyed and assigned whenever the same ould be requested.

Duly acknowledged the same day, and recorded the 30th of ay, 1867, in Deed Book J T O, No. 53, page 151, &c.

DEED—The Hon. Joseph Allison and wife to Samuel C. unting, junior, his heirs and assigns, releasing and extinishing said yearly ground rent of $120.

Duly acknowledged the 14th of July, 1872, and recorded the th of July, 1872, in Deed Book J A H, No. 260, page 269.

114
1872.
June 21,
Produced.
Con'n $2000.
U. S. Revenue
Stamp $2.

DEED—Gilbert S. Parker to Joseph Newhouse, in fee, for ter *alia*) the said ground rent of $60, issuing out of the lot ground beginning in the south line of Walnut street, at the stance of 100 feet eastward from Forty-fourth street (No. 77 pra), thence extending along the south line of Walnut street 7 feet 5⅝ inches to the middle of mill creek, thence down d creek the several courses thereof to ground formerly of izabeth Jones, thence by said ground S. 84° 25' 30", W 223 t 2 inches, thence N. 11° 1', E. 358 feet 2⅛ inches to the ce of beginning.

Duly acknowledged the same day, and recorded the 20th of tober, 1864, in Deed Book L R B, No. 54, page 448.

115
1864.
Oct'r 20,
Ex. Record.

DEED—Joseph Newhouse and wife to Mary L. Erwin and zabeth C. Erwin, their heirs and assigns, for (*inter alia*) the mentioned yearly ground rent of $60. In trust for the s and purposes set forth and declared in the last will and ament of Susan Erwin, deceased.

Duly acknowledged the 24th of August, 1865, and recorded n of August, 1865, in Deed Book L R B, No. 115, page , &c.

116
1865,
Aug. 23,
Produced,

117
1872.
April 20,
Certified copy
Produced.

At a Court of Common Pleas, held at Philadelphia, for th
city and county of Philadelphia, the petition of Samuel C
Bunting, jr., was presented, setting forth the deeds aforesai
(Nos. 77 and the deed last recited), that the will of the sai
Susan Erwin, dated 5th of April, 1845, duly proved and reg
istered at Philadelphia, is in form of a letter addressed to th
said Mary Erwin and Elizabeth C. Erwin in the followin
words: "Should I omit to make any other testamentary dis
"position, I wish you to take charge of all my property an
"estate and hold the same in trust for the equal use and benefi
"of yourselves and all your sisters, without liability to th
"debts of any husband they may now have or may have
"and to sell and dispose of the same absolutely in fe
"simple whenever you think it for their interest to do sc
"and to receipt for the price, and hold or invest the same i
"the like trusts, and on the decease of any of my daughters th
"principal or title of her share of my property shall go to he
"next of kin and heirs at-law in fee, and the income as she ma
"at her pleasure direct by will or otherwise."

That the daughters of the testatrix referred to in said wil
are Elizabeth C. Erwin, Mary L. Erwin, Margaret F. Erwi
and Louisa A. Erwin, then and now all unmarried, and Susa
wife of Samuel Agnew.

That petitioner is owner of the lot of ground out of whic
said rent issues, and is desirous of paying off and extinguish
ing said rent, but was advised and believed that it was doub
ful whether the said Mary Erwin and Elizabeth C. Erwin wer
competent to execute a valid deed of release and extinguish
ment thereof, except by the authority and under the directio
of said Court, the said rent having been purchased by the
without authority under the said will, to invest moneys of the
trust in real estate.

The petitioner therefore prayed that the said Mary Erwi
and Elizabeth C. Erwin be authorized and directed to execut
to him a sufficient deed of release and extinguishment of th
said yearly ground rent upon payment of the sum of on
thousand dollars with the arrearages, &c.

Whereupon a citation was awarded to Elizabeth C. Erwin, ary L. Erwin, Margaret F. Erwin, Louisa Erwin and Samuel gnew and Susan his wife, to show cause why the prayer of tition should not be granted, returnable Saturday, May 4, 72, at 10 A. M.

At a Court of Common Pleas, held as aforesaid, the answer the above named parties to the citation was read and filed, mitting the averment in the first, second and third items of e petition—and denying the allegations as to the law in the irth item in said petition—and averring that the said Mary Erwin and Elizabeth C. Erwin, as trustees under the will of san Erwin, deceased, by virtue of the powers therein given them, and also by virtue of the Act of Assembly of 13th of ril, 1854, had full power to invest the trust moneys held by m in said ground rent, &c., and had ample and undoubted ver to extinguish said ground rent upon payment of the ncipal thereof.

118
1872
May 4,
Certified Copy
Produced.

And therefore prayed to be dismissed with their costs.

Whereupon the Court the same day ordered as follows:

"And now, the fourth day of May, 1872, this matter coming to be heard on the said petition and the answer thereto e Court do approve of the investment in the yearly ground nt of sixty dollars mentioned in the said petition of the mo- ys of the estate of Susan Erwin, deceased, by the said Mary Erwin and Elizabeth C. Erwin as trustees under the will the said Susan Erwin, and the Court do further declare at the said Mary L. Erwin and Elizabeth C. Erwin as trus s as aforesaid, have full power to release and extinguish said yearly rent, and do dismiss the prayer of the said ition."

EED—Mary L. Erwin and Elizabeth C. Erwin, trustees said to Samuel C. Bunting, junior, his heirs and assigns, sing and extinguishing said yearly ground rent of $60 last said.

119
1872.
May 21,
Produced.
Con'n $1000
Stamp $1

ly acknowledged the same day, and recorded the 13th of 1872, in Deed Book J A H, No. 263, page 91, &c.

TITLE to the ground lying on the north side of Waln street, as delineated on plan No. 2, hereto annexed.

DEED.—Mary Sheldrake, widow, to Morton P. Hen in fee, for all that certain tract or piece of land marked A, plan No. 2, hereto annexed, part of the aforesaid 20¾ acr (see No. 34), situate on the northerly side of Walnut stre (80 feet wide), beginning at a stake in the centre of Waln street, being a corner of lands of said Morton P. Henry th day granted to said Mary Sheldrake, then extending alo the line of said Morton P. Henry's land, N. 66° 59′ E. feet 6 inches to a stake, then still by said Morton P. Henr land N. 77° 30′ E. 209 feet 9 inches to a stone, then still said Morton P. Henry's land S. 59° 3′, E. 405 feet 6 inches a stake in the middle of Walnut street, at the distance of abo 326 feet 9 inches westward from the centre of mill creek, t same being also a corner of other land of said Morton Henry, this day granted to said Mary Sheldrake, then alo the centre of Walnut street N. 79° 8′, W. 631 feet 8 inch to the place of beginning, containing $164\frac{51}{100}$ perches.

120
1853.
April 11,
Ex'd Record.

Duly acknowledged the same day, and recorded the 20 of April, 1853, in Deed Book T H, No. 77, page 404.

The said John Rose died seized in fee of the premises fi hereinafter described, which was part of the aforesaid 9 ac and 141 perches allotted to him by the partition of 1816, (No. 40 supra, and plan).

121

WILL of John Rose, whereby among other things he ga all his estate real, personal and mixed to his wife Hannah, bring up and educate his children, born and to be born, a after his youngest child should arrive at age, his will w that his estate should be divided equally between them tenants in common.

122
1827.
Dec'r 24.
Ex'd Record.

Duly proved the 26th of January, 1828, and registered Philadelphia, in Book of Wills, No. 9, page 143.

The said John Rose left to survive him a widow, Hann and seven children, viz.: William W., Albert, John, Thom

123
Recited in the next deed.

enjamin, Frances (who intermarried with John Russell) and athan J.

The said Albert Rose died intestate unmarried and without sue. 124 Recited.

Hannah the widow hath also departed this life. 125 Recited.

All the said children having arrived at full age, mutually reed to dispose of said premises without a division. 126 Recited.

DEED.—William W. Rose and wife, John Rose and wife, omas Rose and wife, Benjamin F. Rose, John Russell and ances his wife, and Nathan J. Rose, to Samuel C. Bunting, fee, for all that piece or parcel of land, part of said 9 acres l perches, beginning at a stone corner of lands of Joseph nnell and Charles W. Hepburn, thence along said Pennell's d N. 88° W. $53\frac{28}{100}$ perches to a point thence by said Pen-l's and land of Jacob Mayland S. 10° 15′, E. $19\frac{4}{10}$ perches a corner in the line of Mayland's land, thence by the same five following courses: S. 65° E. 4 perches, N. 70° E. $\frac{5}{00}$ perches, N. 72° E. $12\frac{68}{100}$ perches, N. 83° 50′ E. 16 ches and N. 15° 15′, E. $7\frac{5}{10}$ perches to the place of begin-g, containing 4 acres 19 perches.
Duly acknowledged the 25th of November, 1850, and re-ded the 6th of December, 1850, in Deed Book G W C, . 68, page 530. 127 1850. Nov'r 23, Ex'd Record.

DEED POLL endorsed, Samuel C. Bunting and Elizabeth his wife to Eliza Barnes, in fee for the same 4 acres and perches of land. 128 1850. Nov'r 25, Ex'd Record.
Duly acknowledged the 6th of December, 1850, and record-the same day in Deed Book G W C, No. 68, page 534.

DEED.—Eliza Barnes, widow, to Kirk B. Wells, in fee for premises last aforesaid, 129 1853. Ja.. 26, Ex'd Record.
Duly acknowledged the same day, and recorded the 3d of ruary, 1853, in Deed Book T H, No. 58, page 337.

130
1853,
Feb. 21,
Ex'd Record.

DEED.—Kirk B. Wells to Morton P. Henry in fee, for th same 4 acres and 19 perches of land.

Duly acknowledged the same day, and recorded the 8th o March, 1853, in Deed Book T H, No. 69, page 205.

131
1855.
May 7,
Ex'd Record.

DEED.—Morton P. Henry to George Wood, Pliny B Fuller and Kirk B. Wells; reciting the Deed from W. A Simpson and wife (No. 67), the Deed last aforesaid from Kirk B. Wells, and the Deed from Mary Sheldrake (No. 120 That he the said Morton P. Henry had no beneficial interes in said properties, but held the same in trust for the said par ties of the second part thereto, to be held, conveyed and dis posed of as they might appoint or direct; and the said Mor ton P. Henry at the request of the said George Wood, Plin B. Fuller and Kirk B. Wells, by the aforesaid Deed (No. 68 had granted and conveyed to Mary Sheldrake, two tracts, con taining together about 1 acre $47\frac{37}{100}$ perches. And thereb granting and conveying all of said parcels of ground (excep ing the portions granted to Mary Sheldrake as aforesaic unto the said George Wood, Pliny B. Fuller and Kirk I Wells in fee, subject to two certain mortgage debts, whic have since been satisfied.

Duly acknowledged the same day, and recorded the 10th May, 1855, in Deed Book R D W, No. 21, page 99, &c.

132
1855.
May 8,
Ex. Record.

DEED—Endorsed Pliny B. Fuller and wife and Kirk Wells to George Wood in fee, for all their estate, right, tit and interest in and to the several lots of ground and premis last aforesaid.

Duly acknowledged the same day by Pliny B. Fuller a wife, and by Kirk B. Wells and Pliny B. Fuller the 10th May, 1855, and recorded the same day in Deed Book R D W No. 21, page 104.

133
1869,
April 1,
Produced
Stamp $3,

DEED—George Wood to Samuel C. Bunting, junior, in f for a lot of ground (part of the last described premises), begi ning at a point in the northerly line of Walnut street and the middle of Forty-sixth street, thence extending along t middle of Forty-sixth street N. 11° 1′, E. crossing Sans

reet 401 feet 10⅝ inches to a point, thence S. 89° 46′ 55″, . 313 feet 9½ inches to a point in Meadow street, then S. 5° 3′ 6″, E. 319 feet 10⅞ inches to a point, thence S. 30° 12′ 3″, . 45 feet 2⅜ inches to a point in the north line of Walnut reet, and thence along the same south 78° 59′, E. 187 feet 2⅝ ches to the middle of Forty-sixth street and place of begin- ng, reserving thereout a yearly ground rent of $180.00, pay- ble half yearly on the first day of the months of October and pril in every year forever.

Duly acknowledged the same day, and recorded the 6th of ay, 1869, in Deed Book J T O, No. 240, page 244, &c.

134
1869.
April 1,
Produced.
Stamp $12,

DEED--George Wood to Samuel C. Bunting, junior, in fee r a lot of ground (other part of said premises), beginning at point in the northerly line of said Walnut street and middle Forty-fifth street, then along the middle of Forty-fifth street . 11° 1′, E. 240 feet 2 inches to a point in the middle of San- m street, thence along the same north 78° 59′, West 560 feet a point in the middle of Forty-sixth street, thence along the me south 11° 1′, W. 240 feet 2 inches to the north line of alnut street, then along the same S. 78° 59′, E. 560 feet to e place of beginning. Reserving thereout a yearly ground nt of $720.00, payable half yearly on the first day of the nths of October and April in every year forever.

Duly acknowledged the same day, and recorded the 6th of ay, 1869, in Deed Book J T O, No. 240, page 249, &c.

135
1869.
April 1,
Produced.
Stamp $8.

DEED—George Wood to Samuel C. Bunting, junior, in fee a lot of ground (other part of said premises), beginning at point in the middle of Forty-fourth street and Sansom street, ence extending along the middle of Forty-fourth street north ° 1′, E. 280 feet 2 inches to a point in the middle of Chest- t street, thence along the same N. 78° 59′, W. 423 feet 8¾ ches to another point, then S. 89° 46′ 55″, W. 36 feet 11¾ ches to a point in the middle of Forty-fifth street, thence ng the same S. 11° 1′, W. 272 feet 11½ inches to a point in e middle of Sansom street, thence along the same S. 78′ 59′, 460 feet to the place of beginning,

Reserving thereout a yearly ground rent of $480.00, payable half yearly on the first day of the months of October and April in every year forever.

Duly acknowledged the same day, and recorded the 6th of May, 1869, in Deed Book J T O, No. 240, page 260, &c.

136
1869,
April 1,
Produced,
Stamp $15.

DEED—George Wood to Samuel C. Bunting, junior, in fee for a lot of ground (other part of said premises), beginning in the north line of Walnut street and middle of Forty-fourth street, thence along Forty-fourth street N. 11° 1′, E. 240 feet 2 inches to the middle of Sansom street, thence along the same N. 78° 59′, W. 460 feet to a point in the middle of Forty-fifth street, thence along same S. 11° 1′, W. 240 feet 2 inches to the north line of Walnut street, thence along the same S. 78° 59′, E. 460 feet to the middle of Forty-fourth street and place of beginning.

Reserving thereout a yearly ground rent of $900.00, payable half yearly on the first day of the months of October and April in every year forever.

Duly acknowledged the same day, and recorded the 6th of May, 1869, in Deed Book J T O, No. 240, page 265, &c.

137
1869.
April 1,
Produced,
Stamp $5.

DEED—George Wood to Samuel C. Bunting, junior, in fee for a lot of ground (other part of said premises), beginning in the north line of Walnut street and middle of Forty-fourth street, thence S. 78° 59′, E. along said Walnut street 297 feet $10\frac{1}{8}$ inches, thence N. 42° 10′ 52″, E. 90 feet $2\frac{3}{4}$ inches to a point in Forty-third street, thence along the same N. 9° 2[illegible] 52″, E. 163 feet to a point in the middle of Sansom street, thence along the same N. 78° 59′, W. 340 feet 2 inches to the middle of Forty-fourth street, thence along the same S. 11° 1[illegible] W. 240 feet 2 inches to the place of beginning.

Reserving thereout a yearly ground rent of $300, payable half yearly on the first day of the months of October and April in every year forever.

Duly acknowledged the same day, and recorded the 6th of May, 1869, in Deed Book J T O, No. 240, page 271, &c.

DEED—George Wood to Samuel C. Bunting, junior, in fee for a lot of ground (other part of said premises), beginning at a point in the middle of Forty-fourth and Sansom streets, hence extending along the middle of said Sansom street south 78° 59′, E. 340 feet 2 inches to a point in Forty third street, hence along the same N. 18° 41′ 42″, E. 123 feet 4¼ inches, hence N. 86° 28′ 31″, E. 21 feet 5⅜ inches, thence N. 6° 31′ 30″, E. 88 feet 10¾ inches to a point, thence N. 79° 37′ 38″, W. 298 feet 5 inches, thence N. 14° 28′ 3″, W. 73 feet 9 inches to a point in the middle of Chestnut street, thence along the same N. 78° 59′, W. 40 feet 3⅝ inches to a point in the middle of Forty-fourth street, thence along the same S. 11° 1′, W. 280 feet 2 inches to the place of beginning.

Reserving thereout a yearly ground rent of $210, payable half yearly on the first day of the months of October and April in every year forever.

Duly acknowledged the same day, and recorded the 6th of May, 1859, in Deed Book J T O, No. 240, page 276, &c.

138
1869.
April 1,
Produced,
Stamp $3.50.

DEED—George Wood to Samuel C. Bunting, junior, in fee for a lot of ground (other part of said premises), beginning at a point in the middle of Chestnut street and Forty-fourth street, thence along the middle of Chestnut street S. 78° 59′, E. 40 feet 3⅝ inches to a point, thence N. 14° 28′ 3″, W. 74 feet 5 inches, thence N. 89° 3′ 51″, W. 160 feet 6¾ inches, thence N. 9° 4′ 17″, E. 15 feet 11½ inches to a point, thence S. 89° 46′ 5″, W. 281 feet 6¾ inches to a point in the middle of Chestnut street, thence along the same S. 78° 59, E. 423 feet 8¾ inches to the middle of Forty-fourth street and place of beginning.

Duly acknowledged the same day, and recorded the 6th of May, 1869, in Deed Book J T O, No. 240, page 282, &c.

139
1869.
April 1,
Produced,
Stamp 50c.

DEED—Samuel C. Bunting, junior, and wife to John Longreth, in fee for one undivided moiety or half part of the seven lots or pieces of ground last aforesaid, subject to the payment of a moiety of the said six several yearly ground rents.

Duly acknowledged the same day, and recorded the 19th of September. 1870, in Deed Book J A H, No. 72, page 353, &c.

140
1870.
July 21,
Produced.
Consid'n $26,700
Stamp $27.

TITLE to the small triangular lot marked "G" on Plan No 2, hereto annexed.

By the hereinbefore recited deed (see No. 101 supra) betwee
141 Frances Hilton of the first part, William Hilton and wife o the second part and John George of the third part. The sai parties of the first and second parts did grant, release and con firm unto the said John George, his heirs and assigns, all th northern moiety of the aforesaid tract of ten acres, beginnin at a stake where the division line of this and the other moiet enters the line of land late the estate of William Hamilton, de ceased, thence along the said line N. $11\frac{1}{2}°$, E. $28\frac{7}{10}$ perches to corner, thence S. $25\frac{1}{2}°$, W. 5 perches to the middle of Mil creek, thence down the middle of said creek the several course thereof to a stone corner being the west end of the divisio line aforesaid, thence along said division line by land allotte to Frances Hilton S. 86°, E. 32 perches more or less to th place of beginning. Containing 5 acres more or less, with th appurtenances, to hold to him the said John George, his heir and assigns forever in severalty.

142
1815
Sep 'r 20,
Ex'd Record.

DEED—The said John George and wife to Joseph Rose William Rose and Benjamin F. Rose in fee as tenants in com mon for the five acres last aforesaid.

Duly acknowledged the 23d of September, 1815, and re corded the 30th of October, 1818, in Deed Book M R, No 22, page 14, &c.

AS TO JOSEPH ROSE'S ONE-THIRD.

143
1822.
June 29,
Ex'd Record.

DEED—Benjamin F. Rose, Jacob Hoffman, junior, an John Rose, Administrators of the Estate of Joseph Rose, de ceased, by virtue of an order of the Orphans' Court (under th hereinbefore recited proceedings, see Nos. 49, 50 et seq.), t Joseph Williams in fee for the said one undivided third par of said five acres.

Sold June 13, 1822, at public sale to said Joseph William for $300, and sale confirmed by the said Court on the 21st o June, 1822.

Duly acknowledged the same day and recorded the 17th o July, 1822, in Deed Book I H, No. 3, page 549.

Certificate of confirmation of sale endorsed on the said eed.

AS TO BENJAMIN F. ROSE'S ONE-THIRD.

DEED POLL—Caleb North, Esq., High Sheriff of the unty of Philadelphia, to the said Joseph Williams in fee for e undivided third part of said 5 acres. Taken in execution d sold as the property of Benjamin F. Rose, at the suit of hn Sisty. Real debt, $2,400. District Court Fi. fa. return-le 1 Monday March, 1822. Vend. Exp. tested March 4th, 22. Returnable 1 Mon. June, 1822. Sold Monday, March , 1822, to Joseph Williams for $130.

144
1822
Oct'r 23d.
Ex'd Record.

Duly acknowledged in open District Court the same day, l entered among the records thereof in Sheriff's Deed Book page 10.

INDENTURE OF MORTGAGE—The said Joseph Wil-ns to Charles N. Bancker, his heirs and assigns, to secure repayment of $3,500, for (*inter alia*) the aforesaid five acres itting to describe as "one undivided third part," but reci-g that it is the same conveyed to him by the Administra-s of Joseph Rose by the deed aforesaid, No. 143.) Also, that undivided third part of said 5 acres conveyed to him Caleb North, Sheriff, by the last recited deed poll.

145
1825.
August 29.
Ex'd Record.

)uly acknowledged the 6th of September, 1825, and re-ded the same day in Mortgage Book G W R, No. 3, page , &c.

'roceedings were afterwards had in the District Court for city and county of Phlladelphia, to recover the aforesaid tgage debt. The following are copies of the docket ies:

APPEARANCE DOCKET.—Dec'r Term, 1826.

C. N. Bancker vs. Joseph Williams. Lev. fa. to J. 27.	Sci. fa. sur mortgage, exit 25th Nov'r. "Made known" Dec. 20, 1826. I sign judgment for want of an appearance. J. R. INGERSOLL for Pl'ff. Dec. 20, 1826. Judgment.

146
J. R. Ingersoll.
381

EXECUTION DOCKET.

June Term, 1827.

147
J. R. Ingersoll.
189

Same
vs.
Same.

Lev. fa. (D. 26, 381.)
R. D. $3,500.
Int. from Aug. 29, 1825.

Costs.

Sold No. 7 for $30, and No. 6 for $95 to Horatio B. Pe
nock.

148
1827.
June —,
Ex'd Record.
Con'n $30.

DEED POLL—Jacob Strembach, Esq., high Sheriff of t
county of Philadelphia, to Horatio B. Pennock, in fee for o
undivided third part of the 5 acres aforesaid. Being the sa
which Caleb North conveyed to said Joseph Williams. Tak
in execution and sold by virtue of the above recited proce
ings as the estate of said Joseph Williams.

Duly acknowledged in open District Court the 7th of Ju
1827, and entered among the records thereof in Sheriff's De
Book E, page 5.

149
1827.
June 30.
Ex'd Record.
Con'd $95.

DEED POLL—Jacob Stremback, high Sheriff aforesaid.
the said Horatio B. Pennock, in fee, for one undivided th
part of said five acres. Being the same which the Admi
trators of Joseph Rose conveyed to Joseph Williams. Tak
in execution and sold by virtue of the above recited proce
ings as the estate of Joseph Williams.

Duly acknowledged the same day in open District Co
and entered among the records thereof in Sheriff's Deed B
E, page 40.

150
1827.
July 7,
Ex'd Record.

DEED—Horatio B. Pennock and wife to Jacob Mayland
fee for all their two equal undivided third parts of and in
said 5 acres of land.

Duly acknowledged the same day, and recorded the 26th
September, 1827, in Deed Book G W R, No. 18, page 3
&c.

AS TO WILLIAM ROSE'S ONE-THIRD.

DEED POLL—John Douglass, Esq., high Sheriff of the ounty of Philadelphia, to Jacob Mayland in fee for (*inter alia*) ne undivided third part of said 5 acres. 151 1824, Dec, 19, Ex d Record.

Taken in execution and sold as the estate of William Rose t the suit of John Warner, by virtue of the hereinbefore re- ited proceedings (see No. 56 et seq).

Duly acknowledged in open Supreme Court the 1st of Jan- ary, 1825, and entered among the records thereof in Sheriff's)eed Book E, page 38. Also, recorded in Deed Book G W R, Jo, 5, page 431.

DEED—Charles H. Cheyney, John Bacon and Thomas Villiamson, executors of the last will and testament of Jacob Mayland, deceased, as aforesaid, to William D. Kelley in fee)r the said 5 acres of land with the appurtenances. 152 1850. Dec. 16,

Duly acknowledged the same day, and recorded the 10th of anuary, 1851, in Deed Book G W C, No. 77, page 66.

DEED—William D. Kelley to Thomas Stewart in fee for art of said premises situate on the easterly side of mill creek, ounded and described as follows, to wit: Beginning at the entre of mill creek, a corner of land late of Thomas Davis, nce of Jason L. Fenimore, thence running by said Fenimore's nd S. 84° 36', E. 250 feet to a point, thence northwardly in line at right angles to Walnut street, 300 feet to a point, ience eastwardly on a line parallel to said Walnut street S. 6° 39', E. 100 feet to a point, thence still further north on a ne at right angles to said Walnut street N. 13° 21', E. 161 eet 7 inches more or less to a point on the line of land of Ben- min S. and Joseph S. Riley, thence by said Riley's land S. 8° 51', W. 266 feet 9½ inches more or less to a post a corner f land late of the estate of Jacob Mayland, deceased, thence by ie same S. 28° 21', W. 99 feet more or less to the middle of ill creek aforesaid, and thence down the said creek S. 3°, W. 6 feet 3¾ inches to a point, S. 16° 6', W. 127 feet 10 inches) a point, and S. 37° 32', W. 165 feet 2 inches more or less) the place of beginning. 153 1852. Dec. 9, Ex. Record.

Duly acknowledged the same day, and recorded the 14th of December, 1852, in Deed Book T H, No. 53, page 488, &c.

154
1852, Dec'r 9, Ex'd Record.

INDENTURE OF MORTGAGE—The said Thomas Stewart to John Fallon in fee for the same premises last described for the sum of $10,000. Conditioned for the payment of the moneys and performance of the covenants, &c., therein referred to.

Duly acknowledged the same day, and recorded the 9th of December, 1852, in Mortgage Book T H, No. 15, page 491.

155
1853. Jan'y 4, Ex'd Record.

DEED—The said Thomas Stewart and wife to Michael Gourley, in fee for the same lot of ground last aforesaid.

Duly acknowledged the same day, and recorded the 9th of March, 1853, in Deed Book T H, No. 74, page 39.

156
1853, Sept'r 3, Ex'd Record.

DEED—Michael Gourley and wife to Christopher Fallon in fee for the same lot of ground.

Duly acknowledged the same day, and recorded the 20th of January, 1854, in Deed Book T H, No. 124, page 398.

157

The said lot of ground, prior to the date of the last conveyance, had been levied on and sold as the estate of the said Thomas Stewart, by virtue of legal process issued out of the District Court for the city and County of Philadelphia at the suit of Edwin Smith.

The following are copies of the Docket entries:

APPEARANCE DOCKET.

March Term, 1853.

158
Baugh, 848

Edwin Smith vs. Thomas Stewart. April 30, 1853, Narr filed. Fi. fa. J. 53, 233.	Summons case. Ex. April 28 Ret, 1 Mon. May. "Served." May 11, 1853, Judgment for want of an appearance. June 8, 1853, damages assessed at $503.50.

EXECUTION DOCKET.
June Term, 1853.

Same vs. Same. evied and condemned." nd. Exp. June 53. 441	Fi. fa. (M. 53. 848.) Real debt $503.50. Interest from May 11, 1853.	159 233.

EXECUTION DOCKET.
June Term, 1853. 160
441

Same vs. Same.	Vend. Ex (Fi. fa. J. 53. 233.	

ld to Christopher Fallon for $650.

161
1853.
Oct'r 1
Ex'd Record.

EED POLL—Samuel Allen, Esq., high Sheriff of the nty of Philadelphia, to Christopher Fallon in fee for the e lot of ground last aforesaid. Sold as the estate of Tho- Stewart.

uly acknowledged in open District Court the same day, entered among the records thereof in Sheriff's Deed Book No. 2 page 369.

:.—The defendant in the body of the above mentioned writ of Venditioni nas and Sheriff's Deed, was erroneously named JAMES STEWART. The rsement of the writ and recital of title are correct. The record was equently amended as follows: 162

THE DISTRICT COURT FOR THE CITY AND COUNTY OF PHILADELPHIA,

E. Smith vs. Thomas Stewart.	Vend. Ex. J. 53. 441

nd now, December 31, 1853, on motion of John Fallon, , for Samuel Allen, sheriff, and for the purchaser under above writ, the Court order the body of the writ to be nded so as to read Thomas Stewart whenever the name es Stewart occurs therein.' 163

164 1854. Jan y 18, Ex'd Record. Deed—Christopher Fallon and wife to Benjamin S. R in fee for the same lot of ground.

Duly acknowledged the same day, and recorded the 20t January, 1854, in Deed Book T H. No. 124, page 401, &c

156 1854. Jan'y 18, Ex'd Record. COVENANT OF EXONERATION—The said John lon (mortgage above name) to the said Benjamin S. R releasing said premises from the lien of the said mortgag December, 9th 1852, given by Thomas Stewart as aforesai

Duly acknowledge the same day, and recorded the 16t October, 1869, in Deed Book J T O, No. 287, page 252.

166 1865 Oct. 26. Ex'd Record. DEED—Benjamin S Riley and wife to Henry C. Gibso fee for part of the last mentioned lot of ground. Beginnin a point in the north line of Walnut street at the distanc 471 feet 8⅜ inches westward from the west side of Fort cond street, thence extending northward on a line at r angles with said Walnut street by ground of the Rev. Al Barnes 215 feet 2 inches to a point in the south line of San street, thence westward along the south side of said Sar street, and crossing Forty-third street (as laid out of the w of 60 feet) 175 feet to the middle of Mill creek thence d the middle of said creek the several courses thereof to a p in the north line of Walnut street, and thence eastward a the north line of said Walnut street and recrossing said Fo third street 218 feet to the place of beginning.

Duly acknowledged the same day, and recorded the 28 October, 1865, in Deed Book L R B. No. 128, page &c.

167 1870. Sept'r 1, Produced Con'n $1000 Stamp $1, DEED—Henry C. Gibson and wife to John Longstreth Samuel C. Bunting, Junior, in fee, as tenants in commo part of the last described premises. Beginning at the n west corner of Walnut and Forty-third streets, thence ex ing northward along the west side of Forty-third street 6 7⅝ inches more or less to a point, thence S. 42° 10' 52" through the middle of mill creek 76 feet 8½ inches to the side of Walnut street, and thence eastward along the

ide of said Walnut street 39 feet 8⅜ inches more or less to he place of beginning.

Duly acknowledged the 3d of October, 1870, and recorded be 17th October, 1870, in Deed Book J A H, No. 86, page 03.

DEED—Samuel C. Bunting, Jr., and wife to John Longreth in fee for all their undivided moiety of the said seven ots of ground hereinbefore described (see Nos. 133 to 139), ubject to the payment of a moiety of said yearly ground ents.

168
1870
Nov"r 3d,
Ex'd Record.
Consid'n $26,200
Stamp $26,50.

Duly acknowledged the 4th of November, 1870, and recorded the 5th of November, 1870, in Deed Book J A H, No. 9, page 331, &c.

DEED—(Endorsed on Deed No. 167 supra)—Samuel C. unting, Jr., and wife to John Longstreth in fee for all their ndivided moiety or half part of the triangular lot described said deed from Henry C. Gibson and wife.

169
1870.
Nov'r 3,
Produced,

Duly acknowledged the 4th of November, 1870, and recorded the 21st of January, 1873, in Deed Book F T W, No. 16, ge 490 &c.

DEED—John Longstreth and wife to Nathan W. Ellis in for one undivided sixth part of and in (*inter alia*) three lots ground (parts of the aforesaid lots). One of them on the rthwardly side of Walnut street and westwardly side of rty-third street, eastwardly side of Forty-fourth street, and thwardly side of Sansom street.

170
1870.
Nov'r 21,
Ex'd Record.
Con'n $9,166,
Stamp 9,50.

One other on the northwardly side of Walnut street, westrdly side of Forty-fourth street, eastwardly side of Fortyh street, and southwardly side of Sansom street.

And the other of them on the northwardly side of Walnut eet, eastwardly side of Forty-sixth street, containing 400 t in front on Walnut street by 215 feet deep to Sansom

street, subject to a proportionate part of the several year ground rents issuing thereout as above mentioned.

Duly acknowledged the same day, and recorded the 20th February, 1871, in Deed Book J A H, No. 114, page 336, &

171
1870.
Nov. 30,
Con'n $9,166,
Stamp $9.50,

DEED—John Longstreth and wife to John K. McCurdy fee for (*inter alia*) one undivided sixth part of the three lots ground last aforesaid, subject to the payment of a proportio ate part of the said three yearly ground rents.

Duly acknowledged the same day, and recorded the 27th December, 1870, in Deed Book J A H, No. 101, page 255, &

172
1871.
April 1,
Produced.
Con'n $18,000,
Stamp $18.

DEED—John Longstreth and wife, Nathan W. Ellis a wife and John K. McCurdy and wife to Samuel C. Buntir Jr., in fee for one of the last-mentioned blocks of ground d cribed as follows: All that certain lot or square of ground s uate on the north side of Walnut street, on the south side Sansom street, on the west side of Forty-third street, and the east side of Forty-fourth street, in the Twenty-seven ward of the city of Philadelphia, containing in front or breac on the said Walnut street and Sansom streets respectively 3 feet 6½ inches, and on the said Forty-third and Forty-four streets respectively 215 feet 2 inches, subject to the payme of said yearly ground rent of $300.00, and also subject to c tain restrictions as to the buildings to be erected thereon.

Duly acknowledged the same day, and recorded the 25th April, 1871, in Deed Book J A H, No. 136, page 425, &c.

173
1872.
April 3,
Produced.
Con'n $5000
Stamp $5,

DEED—George Wood and wife to the said Samuel C. Bu ing, Jr., and John Rush (to whom Mr. Bunting had convey a part of said ground), their heirs and assigns, for said yea ground rent of $300.00, to the end and intent that the sa yearly ground rent should from thenceforth cease, merge a be forever extinguished.

Duly acknowledged the same day, and recorded the 6th April, 1872, in Deed Book J A H, No. 234, page 222, &c.

DEED—George Wood and wife to John Longstreth, his
rs and assigns, releasing and extinguishing the aforesaid
rly ground rent of $210.00 issuing out of the hereinbefore
cribed lot of ground, beginning at a point in the middle of
ty-fourth street and Sansom street, thence extending along
middle of said Sansom street south 78° 59′, east 340 feet 2
nes to a point in Forty-third street, thence along the same
18° 41′ 42", E. 123 feet 4¼ inches to another point, thence
36° 28′ 31", E. 21 feet 5⅜ inches to a point, thence north
31′ 50", east 88 feet 10¾ inches to a point, thence N. 79° 37′
W. 298 feet 5 inches to a point, thence N. 14° 28′ 3", W.
eet 9 inches to a point in the middle of Chestnut street,
ce along the same N. 78° 59′, W. 40 feet 3⅝ inches to a
t in the middle of said Forty-fourth street, and thence
g the same S. 11° 1′, W. 280 feet 2 inches to the place of
nning.

174
1872.
Sept'r 19.
Produced.
Con'n $3,500.
Stamp $3.50.

uly acknowledged the 20th of September, 1872, and re-
ed the 4th of November, 1872, in Deed Book J A H, No.
page 393, &c.

EED—John Longstreth and wife to Edward G. Cummins
e for the lot of ground last described, subject to the pay-
of a certain mortgage debt of $10,000, secured thereon
denture of mortgage given and executed by the said John
streth to the Right Reverend William Bacon Stevens and
s. Trustees, recorded in Mortgage Book J A H, No. 283,
39, &c.

175
1873.
March 1,
Produced,

ly acknowledged the 14th of March, 1873, and recorded
5th of March, 1873, in Deed Book F T W. No. 26, page
&c.

ED—Edward G. Cummins to Samuel C. Bunting, junior,
for the lot of ground last aforesaid, subject to the pay-
of the aforesaid mortgage debt of $10,000, and also to
yment of three other mortgage debts, two of them of

176
1873.
March 1,
Produced

three thousand dollars each, and the other of four thousan dollars, secnred on different parts of the said lot, all dated th first day of March, 1873, given and executed by said Edwar G. Cummins to said John Longstreth, and recorded in Mor gage Book F T W, No. 32, pages 280, 286, and 290 respec tively,

Duly acknowledged the 15th of March, 1873, and recorde the 18th of March, 1873, in Deed Book F T W, No. 26, pag 438, &c.

177
1873,
Jan'y 20,
Ex. Record.

DEED--Nathan W. Ellis and wife to John Longstreth i fee for all their one undivided sixth part of and in (*inter ali* the aforesaid lot or block of ground bounded by Walnut stree Forty-fourth street, Forty-fifth street and Sansom street, su ject to a proportionate part of the aforesaid yearly ground re of $900.

Duly acknowledged the same day, and recorded the 18th February, 1873, in Deed Book F T W, No. 29, page 24, &c

178
1873.
Jan'y 20,
Ex. Record.

DEED---John K. McCurdy and wife to John Longstreth fee for all their one undivided sixth part of and in (*inter ali* the same lot or block of ground last aforesaid, subject to proportionate part of said yearly ground rent of $900.

Duly acknowledged the same day, and recorded the 18th February, 1873, in Deed Book F T W, No. 29, page 65, &c.

179
1873.
March 1,
Produced.

DEED---John Longstreth and wife to Edward G. Cummi in fee for the same lot or block of ground, subject to the pa ment of said yearly ground rent of $900.

Duly acknowledged the 14th of March, 1873, and record the 18th of March, 1873, in Deed Book F T W, No. 26, pa 483, &c.

DEED—Edward G. Cummins to Samuel C. Bunting, junior, in fee for the same lot or block of ground last aforesaid, subject to the payment of the aforesaid yearly ground rent of $900, and also to the payment of five mortgages, two of seven thousand dollars each, and three of six thousand dollars each, secured on different parts of the said lot by five indentures of mortgage, given and executed by the said Edward G. Cummins to John Longstreth, dated the first day of March, A. D. 1873, and recorded in Mortgage Book F T W, No. 32, pages 267, 270, 273, 276 and 283 respectively. 180 1873 March 1. Produced,

Duly acknowledged the 15th of March, 1873, and recorded the 18th March, 1873, in Deed Book F T W, No. 26, page 44, &c.

So that the said Samuel C. Bunting, Jr., became seized in fee as follows: 1. By the deed from Edward G. Cummins (page 38, No. 112), the deed from Joseph Allison and wife (page 39, No. 114), and the deed from Mary L. Erwin et al. (page 41, No. 119) of the fourteen lots of ground numbered 1 to 14 inclusive on plan No. 1 hereto annexed. Subject as respects lots numbered 1, 2, 3 and 4 to a yearly ground rent of $120 each, and as respects the lot numbered 5 to the payment of a yearly ground rent of $90—and also subject as respects said lots numbered 1, 2, 3 and 4, to a mortgage debt of $5,500 each; as respects the lots numbered 6, 7 and 8, to a mortgage debt of $5000 each; as respects the lots numbered 5, 13 and 14, to a mortgage debt of $3,500 each; as respects the lots numbered 9 and 10, to a mortgage debt of $7,000 each; as respects the lot numbered 11, to a mortgage debt of $7,333.33; and as respects the lot numbered 12, to a mortgage debt of $3,666.67.

2. By the deed from John Longstreth and wife and others, and the deed from George Wood and wife (page 56, Nos. 172 and 173) of the block of ground bounded by Walnut street, Sansom street, Forty-third street and Forty-fourth street.

3. By the deed from Edward G. Cummins (page 57, No. 176) the lot of ground bounded by Sansom street, Forty-third

street and Forty-fourth street, and particularly described on page 57, No. 174—subject to the payment of the four mortgage debts of $10,000 $3000, $3000 and $4000 respectively as therein mentioned.

4. By the deed from Edward G. Cummins (page 59, No. 180) of the block of ground bounded by Walnut street, Forty fourth street, Forty-fifth street and Sansom street. Subject to the payment of the yearly ground rent of $900 aforesaid, and also to the payment of five mortgage debts, two of $7000 each, and three of $6000 each, as therein mentioned.

OPINION.

I have read the foregoing Brief and the Certificates of Search therewith produced, and I am of opinion that a good title in fee is thereby deduced to Samuel C. Bunting, Jr., for the four squares of ground on the north and south sides of Walnut street, between Forty-third and Forty fifth streets, and the lot or piece of ground on the north side of Sansom street, west of Forty-third street, above mentioned, clear of incumbrance, except the ground rents and mortgages last above specified.

HENRY WHARTON.

November, 1873.

SEARCHES.

On examination of the Judgment Index of the District Court f
the city and county of Philadelphia, from June 8th, A.D. one tho
sand eight hundred and sixty-six (1866), to the ninth day of Jur
one thousand eight hundred and seventy-one (1871), I find no u
satisfied judgments entered therein within that period against A
bert S. Letchworth, "Trustee," Albert S. Letchworth, Philip
Justice, Victor A. Sartori.
Philip Justice, Nov. 20, '69.

Certified by D A. ALLISON, Pro Proth.
None to June 30, 1871. CHAS. P. LYLE, Pro Proth.
None to July 9, 1871. D. A. A. Pro Proth.

The within Note, Philip Justice, Nov. 20, 1869—

S. 69. 1579. Sums. Case.
Samuel B. Bailey et al.
vs.
Philip Justus.

Who resides at 329 Queen street, and is not against Philip S. Ju
tice, hardware merchant, the party in question.
Nov. 17, '71. WM. H. LIST.

On examination of the Judgment Index of the Court of Commc
Pleas for the City and County of Philadelphia, from October 1s
A. D. one thousand eight hundred and sixty-seven (1867), to th
tenth day of June, one thousand eight hundred and seventy-or
(1871), I find no unsatisfied judgments entered therein within th
period against Albert S. Letchworth, Trustee, Albert S. Letc
worth, Philip S. Justice, Victor A. Sartori.

Certified by S. COULTER, Jr. Pro Proth.
None from June 8th, 1866, to October 1, 1867.
S. C., Jr.
None to July 3, '71. S. C. Jr.
None to July 9, '71. S. C., Jr.

I, James Ross Snowden, Prothonotary, do certify, that on exar
ining the Judgment Index of the Supreme Court of Pennsylvani
for the Eastern District, from October 1st, 1867, to the second da
of June, one thousand eight hundred and seventy-one, I find th

lowing unsatisfied judgment entered within that period against bert S. Letchworth, Trustee.

James B. Ferree, Jan. 71, 229, H. Wharton, Dec. 17, '70, Judgnt for Defendant.

CHAS. B. ROSS, Pro Proth.

None from June 8, 1866, to October 1, 1867. C. B. R.
None to July 3, 1871. C. B. R.

The within certified judgment does not affect the lots of ground ıveyed by Albert S. Letchworth et. al. to Edward G. Cummins, deed dated June 19, 1871, and recorded in Deed Book J A H, . 167, page 670.

HENRY WHARTON.

, James Ross Snowden, Prothonotary, do certify, that on examıg the Judgment Index of the Supreme Court of Pennsylvania, the Eastern District, from October 1st, 1867, to the second day June, one thousand eight hundred and seventy-one, I find no unsfied judgment entered within that period against Albert S. chworth, Philip S. Justice, or Victor A. Sartori.

CHAS. B. ROSS, Pro Proth.

None from June 8, 1866 to October 1, 1867. C. B. R.
None to July 3, 1871. C. B. R.
None to July 9, 1871. C. B. R.

S. Eastern District of Pennsylvania, sct.

, Samuel Bell, Clerk of the Circuit Court of the United States, nd for the Eastern District of Pennsylvania, do hereby certify, there are no unsatisfied judgments remaining on record in my e, obtained within the last five years, against Albert S. Letchth (individually or as Trustee), Philip S. Justice, or Victor A. ori.

EDWARD F. PUGH, Pro. Clerk.

hiladelphia, this 2d day of June, A. D. 1871.

one to July 3, 1871. J. B. BEAVER, pro Clerk.
one to July 9, 1871. J. B. B. pro Clerk.

S. Eastern District of Pennsylvania, ss.

Gilbert R. Fox, certify that there are no unsatisfied judgments ining on record in my office, obtained within the last five years, nst Albert S. Letchworth (individually or as Trustee), Philip ustice or Victor A. Sartori.

EDWARD F. PUGH, per Clerk Dist. Court U. S.

hiladelphia, this 2d day of June, A. A. 1871.

one to July 3, 1871. J. B. BEAVER, pro Clerk.
one to July 9, 1871. J B. B. pro Clerk

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rt of Quarter Sessions of the Peace for the City and County of Philadelphia.

certify, That I have examined the Records of the aforesaid

Court for the past five years, and do not find any unsatis
judgments against Albert S. Letchworth, Trustee or individua
Philip S. Justice, Victor A. Sartori.

Juiy 1st, 1871. FRFD. C. UBER, pro Clerl

None from June 8th, 1866, to July 9, 1871.

R. S. GARRISON, pro Cler

None to July 3, 1871. R. S. (

None to July 9, 1871. R. S. G. pro Cler

All that certain tract or piece of land situate in the 27th wai
the city of Philadelphia (composed of two squares ef grou
bounded northward by Walnut street, southward by Locust st
eastward by Forty-third street, and westward by Forty-fifth st

Please certify any unpaid taxes registered against the above
scribed premises in the name of Philip S. Justice, Albert S. L
worth, Victor A Sartori, or in any other name.

C. H. & H. P. MUIRHEI

On examining the Register of Delinquent Taxes, I find not
against the above described premises for the years 1866 to 187
clusive. J. NUTTALL, Registering Cle

On searching the Locality Index of the Court of Common
I find nothing against the premises as above described from Ja
1866. WM. G. RUSSELL,

June 17, 1871.

None to June 30, 1871. W. E.

None to July 9, 1871. W. G.

On searching the Locality Index of the District Court, I fin
thing against the premises as within described since June 1, 1

June 20, 1871. WM. H. SAYLOR, Pro Pr

None to July 3, 1871. W. H.

None to July 9, 1871. W H

On searching the Index of Claims in the City Solicitor's of
find nothing against the above described premises.

CHAS. A BRAI

June 20, 1871.

None to July 9, 1871.

An examination of my Sheriff's record sn far as collated, fa
discover any Sheriff's sales of the premises as above describe

September 30, 1871. JOHN C. UH

All those Fonrteen certain Lots or pieces of Ground situ
the Twenty-seventh ward of the city of Philadelphia. Eight o
forming the block or square bounded by Forty-fourth, Fort
Walnut amd Locust streets And the other six forming the

square bounded by Forty-third, Forty-fourth, Walnut and Locust eets.

Please certify every Mortgage of the above described Lots of ound, or any of them, or any parts or part of the same, remain- unsatisfied of record, made by

iliam Clayton, from May 1, 1684, to July 1, 1701.
rnabas Wilcox, from December 1, 1688, to November 1, 1693.
orge Wilcox, from July 1, 1689, to July 1, 1701.
raham Fifield, from July 1, 1689, to November 1, 1701.
jamin Chambers, from May 1, 1701, to February 1, 1717.
lliam Brown, from May 1, 1689, to January 1, 1717.
phen Jackson,
zabeth Jackson, } from November 1, 1713 to July 1, 1744.
jamin Jackson, from December 1, 1729, to June 1, 1733.
ry Jackson, from December 1, 1729, to November 1, 1741.
xander Woodrop, from May 1, 1733, to February 1, 1734.
hard Pearne, from January 1, 1734, to August 1, 1746.
er Gardner, from October 1, 1741, to July 1, 1765.
niel Radley,
liam Rawle, } from January 1, 1729, to July 1, 1744.
ion Edgell, from April 1, 1735, to July 1, 1744.
y Rose, from February 1, 1743, to July 1, 1798.
er Rose,
er Rose, Junior, } from February 1, 1743, to Dec. 1, 1852.
liam Rose, from October 1, 1765, to September 1, 1819.
abeth Jones,
ah Robinson,
y Thomas, } from October 1, 1765, to Dec. 1, 1852.
e Latch,
ob Latch, } from October 1, 1765, to Sept. 1, 1811.
mas Thomas, May 1, 1808, to May 1, 1835.
n J. Thomas, from April 1, 1835, to March 1 1842.
y Sheldrake, from March 1, 1839, to June 1, 1853.
n Sisty, from October 1, 1821, to September I, 1825.
ob Mayland, from March 1, 1823, to October 1, 1849.
han Jones, from June 1, 1822, to September 1, 1825.
iam A. Simpson, from November 1, 1852, to February 1, 1853.
ton P Henry, from November 1, 1852, to June 1, 1853.
ert S. Parker, from April 1, 1853, to February 1, 1864.
ustus C. Jones, from August 1, 1833, to December 1, 1854.
ey Brognard, from August 1, 1854, to November 1, 1860.
y B. Brognard, from August 1, 1854, to April 1, 1860.
hia M. Brognard, from April 1, 1858, to May 1, 1868.
n M. Mitchell, from October 1, 1860, to July 1, 1868.
rew Hamilton, from February 1, 1743, to October 1, 1747.
iam Hamilton, from August 1, 1747, to Ju y 1, 1810.
ge Hilton from June 1, 1810, to September 1, 1813.

William Hilton, from June 1, 1810, to August 1, 1815.
John George, from August 1, 1813, to August 1, 1815.
Frances Hilton, from June 1, 1814, to August 1, 1815.
Thomas Davis, from May 1, 1815, to May 1, 1846.
Lewis Paleske, from April 1, 1846, to January 1, 1847.
Jason L. Fenimore, from November 1, 1846, to June 1, 1866.
Philip S. Justice, since December 1, 1863.
Albert S. Letchworth, } since October 1, 1867.
Victor A. Sartori, }
Edward G. Cummins, since June 1, 1871.

C. H. & H. P. MUIRHEID.
Per J F. List.

To JOHN A. HOUSEMAN, Esq. Recorder of Deeds.

On searching the Index of Mortgages for the city and county Philadelphia, I do not find any unsatisfied Mortgages of the abo described premises or any part thereof, by either of the fifty-tw persons above named, within the periods specified, except two, o by L. Ney Brognard to the Fame Insurance Company, dated Mar 1, 1866, for two thousand dollars ($2000), the other by Philip Justice to Samuel G. Ward et al, dated January 25, 1870, for ni thousand pounds sterling.

Witness my hand and seal of office this thirtieth day of Jun A. D. 1871. M. W. MYERS, Pro Rec.

The mortgage by L. Ney Brognard for $2000 is satisfied of r cord. M. MYERS.

NOTE.—The mortgage given by Philip S. Justice to Samuel Ward for £9000 is released from the lien of said mortgage, by r lease dated June 9, 1871, recorded in Deed Book J A H, No 18 page 401, &c. C. H. & H. P. MUIRHEID.
Per Wm. H. List.

None other to July 9, 1871, except fourteen by Edward G. Cu mins to Albert S. Letchworth et al., each dated June 19, 1871. Four for $5,500 each; three for $3,500 each; three for $5,000 eac two for $7,000 each; one for $7,333 33; and one for $3,666.67.
M. W. MYERS.

On examination of the Judgment Index of the District Court f the city and county of Philadelphia, from July 10, A. D. one tho sand eight hundred and sixty-seven (1867), to the eleventh day July, one thousand eight hundred and seventy-two (1872), I find unsatisfied judgments entered therein within that period again Joseph Allison, Mary L. Erwin, Elizabeth C. Erwin.

Certified by D. ALLISON, Pro Proth.

On examination of the Judgment Index of the Court of Comm Pleas for the city and county of Philadelphia, from July 11, A. one thousand eight hundred and sixty-seven (1867), to the twelf

y of July, one thousand eight hundred and seventy-two (1872), I d no unsatisfied judgments entered therein within that period ainst Joseph Allison, Mary L. Erwin, Elizabeth C. Erwin.
Certified by S. COULTER, Pro Proth.

I, James Ross Snowden, Prothonotary, do certify that on exam-ing the Judgment Index of the Supreme Court of Pennsylvania, r the Eastern District, for five years prior to the twelfth day of ly, one thousand eight hundred and seventy-two, I find no un-tisfied judgment entered within that period against Mary L. Er-n or Elizabeth C. Erwin.

CHAS. B. ROSS, Pro Proth.

I, James Ross Snowden, Prothonotary, do certify that on exam-ng the Judgment Index of the Supreme Court of Pennsylvania, r the Eastern District, for five years prior to the twelfth day of ly, one thousand eight hundred and seventy two, I find the fol'ow-g unsatisfied judgment entered within that period against Joseph llison:

Wm W. Perrine, July '72. 35. P. P. May 9, 1872—Am. Sci. . to rev. Sci. fa. July '67. 51.

CHAS. B. ROSS, Pro Proth.

Restricted to a lot and dwelling south side of Walnut street 233 t west of Forty-second street. W. R. BETHELL

S. Eastern District of Pennsylvania, sct.
I, Samuel Bell, Clerk of the Circuit Court of the United States, and for the Eastern District of Pennsylvania, do hereby certify at there are no unsatisfied judgments remaining on record in my ce, obtained within the last five years against Joseph Allison, ary L. Erwin or Elizabeth C. Erwin.

JOHN B. BEAVER, pro Clerk.

Philadelphia, July 11, 1872.

S. Eastern District of Pennsylvania, ss.
I, Gilbert R. Fox, certify that there are no unsatisfied judgments naining on record in my office, obtained within the last five years ainst Joseph Allison, Mary L. Erwin or Elizabeth C. Erwin.

JOHN B. BEAVER, pro Clerk District Court U. S.

Philadelphia, July 11, 1872.

All those two certain lots of ground situate in the 27th Ward of e city of Philadelphia. One of them on the south side of Walnut eet and east side of Forty-fourth street, containing in front on e said Walnut street one hundred feet and extending in depth thward three hundred and fifty eight feet two and one half inches the east line, and two hundred and eighty seven feet eleven and ee quarter inches on the west line. And the other of them be-

ginning on the south side of Walnut street one hundred feet eas
ward from Forty-fourth street, thence eastward along Walnut stre
one hundred and forty seven feet five and five eighths inches to th
middle of Mill creek, thence down Mill creek to ground late of E
zabeth Jones, then by the same S. 84° 25′ 30″, W. two hundr
and twenty three feet two inches to the above described lot, a
thence northward by the same to Walnut street, and the beginnin

JOHN A. HOUSEMAN, Esq., Recorder.

Please certify any unsatisfied mortgages on any yearly grou
rent issuing out of either of the above described premises given
Gilbert S. Parker, from December 18, 1863, to June 1, 1867.
Joseph Allison, since December 19, 1863.
Joseph Newhouse, from October 1, 1864, to October 1, 1865.
Mary L. Erwin,
Elizabeth C. Erwin, } since Augnst 1, 1865.

On searching the Index of Mortgages for the city and county
Philadelphia, I find no unsatisfied mortgages of the within describ
premises or any part thereof or of any yearly ground rent issui
thereout given by either of the five (5) persons within named
ring the periods specified, (the word Mary having been written o
an erasure.)

Witness my hand and seal of office this eleventh day of Ju
A. D. 1872. E. R. BILES, pro Recorder.

All those three certain lots or blocks of ground situate in
Twenty-seventh Ward of the city of Philadelphia—one of th
bounded by Walnut street, Sansom street, Forty-fourth street a
Forty-fifth street.

One other of them bounded by Walnut street, Sansom str
Forty third street and Forty fourth street.

And the other of them beginning at a point in the middle of Fo
fourth street and Sansom street, thence along the middle of Sans
street S. 78° 59′, E. 340 feet 2 inches to a point in Forty th
street, then along the same N. 18° 41′ 42″, E. 123 feet $4\frac{1}{4}$ inc
then N. 86° 28′ 31″, E. 21 feet $5\frac{3}{8}$ inches, then N. 6° 31′ 50″,
88 feet $10\frac{3}{4}$ inches to a point, thence N. 79° 37′ 38″, W. 298 fe
inches, thence N. 14° 28′ 3″, W. 73 feet 9 inches to a point in
middle of Chestnut street, then along the same N. 78° 59′, W.
feet $3\frac{5}{8}$ inches to a point in the middle of Forty fourth street, the
along the same S. 11° 1′, W. 280 feet 2 inches to the place of
ginning.

The said lots or blocks being composed of parts and parcel
three pieces of land described in Deed Book R D W, No. 21, p
99, &c., and the whole of a triangular lot described in Deed B
J A H, No. 86, page 203, &c.

. Theo. Walton, Esq., Recorder.

Please certify any unsatisfied mortgages appearing of record on
e above described premises or any part or parts thereof, or on any
early ground rent or rents issuing out of any part theroof, given

homas Thomas, from May 1st, 1808 to May I, 1835.
van J. Thomas, from April 20, 1835, to March 1, 1842.
hn Sisty, from November 1, 1821, to August 20, 1825.
ter Rose, from June 1, 1810, to September 10, 1825.
athan Jones, from June 20, 1822, to September 1, 1825.
ary Sheldrake, from March 1, 1839, to May 1, 1853.
hn Rose, from January 1, 1810, to December 7, 1850.
illiam W. Rose,
bert Rose,
omas Rose,
njamin Rose,
than J. Rose,
ances Rose,
ances Russell,
hn Russell,
} from December 1, 1827, to Dec. 7, 1850.
muel C. Bunting, from November 1, 1850, to Feb. 1, 1851.
za Barnes, from Nov. 20, 1850, to March 1, 1853.
ratio B. Pennock, from June 1, 1827, to October 1, 1827.
ob Mayland, from March 1, 1823, to October 1, 1849.
arles H. Cheyney,
n Bacon,
omas Williamson,
} Ex's. From July 21, '49 to Dec. 1, 1852
lliam A. Simpson, from Nov. 1, 1852, to Feb. 1, 1853.
rton P. Henry,
ny B. Fuller,
k B. Wells,
} from Nov. 1, 1852, to June 1, 1855.
lliam D. Kelley, from Dec. 1, 1850, to Dec. 20, 1852.
omas Stewart, from Dec. 1, 1852, to March 20, 1853.
hael Gourley or Gormley, from Jan. 1, 1853, to Feb. 1, 1854.
istopher Fallon, from Sept. 1, 1853, to February 1, 1854.
jamin S. Riley, from January 1, 1854, to Nov. 1, 1865.
ry C. Gibson, from October 20, 1865, to October 20, 1870.
rge Wood, from Nov. 9, 1852, to Nov. 5, 1872.
han W. Ellis,
n K. McCurdy,
} from Nov. 1, 1870, to March 1, 1873.
n Longstreth, from Jnly 1, 1870, to April 1, 1873.
vard G. Cummins, from February 28, 1873, to May 2, 1873.
uel C. Bunting, Jr , since April 1, 1869.

Bethell.

n searching the Index of Mortgages for the city and county of
adelphia, I find no unsatisfied mortgages of the above described
nises, or any part thereof, or of any yearly ground rent issuing

thereout, given by either of the thirty-eight (38) persons abo named, within the periods specified, except ten (10), one by Thom Stewart to John Fallon, dated December 9, 1852, for ten thousa dollars ($10,000); one other by John Longstreth to William Bac Stevens et al., dated September 21, 1872, for ten thousand dolla ($10,000); and eight (8) others by Edward G. Cummins to Jol Longstreth, dated Mareh 1, 1873, two (2) for seven thousand d lars ($7000) each, three (3) for six thousand dol ars ($6000) eac two (2) for three thousand dollars (3000) each, and one for fo thonsand dollars ($4000).

Witness my hand and seal of office, this nineteenth day of No A. D. 1873.

ED. R. BILES, pro Recorder.

Note.—The mortgage (Stewart to Fallon) released. See pa 54, No. 165.

An examination of my Sheriff's record as far as collated for Sh riff's sales of the premises as within described, produces the follo ing record:

Smith vs. Stewart. V. Ex. D. C. J. 53. No 441.
Sept'r 10, '73. JOHN C. UHLE.

On examination of the Judgment Index of the District Court the City and County of Philadelphia, from March 18th, A. D. thousand eight hundred and sixty-eight (1868), to the ninetee day of March, one thousand eight hundred and seventy-three (18 I find the following unsatisfied Judgments entered therein wit that period against John Longstreth:

City of Philadelphia,	D. 71, 3	C. C. D. Dec. 11, 71,	$175
Same	" 4	" "	175
Wm. H. Hobart,	M. 72, 314,	M. L. D. June 1, '72,	112
Same	" 1208,	Otterson, Jan'y 25, '73,	315

M. 72. 1208 Satisfied. Certified by
CHARLES P. LYLE, Pro Proth

City of Philadelphia vs. John Longstreth. C. C. D. D. 71 Claims for $175 for water pipe against a lot of ground on the N. side of Neff street, extending from Elm to Bath streets.

Same vs. same. C. C. D. D. 71, 4. Claim for $175 for wa pipe against lot S. W. side of Neff street, extending from Elm Bath.

Wm. H. Hobart vs. Wm. Singiser and John Longstreth.

No. 1	north	side	of	48th	street,	37 feet	6 in.	north of Aspen.
2	"	"	"	"	75	"	"	"
3	"	"	"	"	112	"	6 in.	" "
4	"	"	"	"	150	"	"	"

On examination of the Judgment Index of the Court of Common eas for the City and County of Philadelphia, from July 1st, A.D. e thousand eight hundred and seventy (1870), to the twenty sixty y of March, one thousand eight hundred and seventy three ('73), find the following unsatisfied jndgments entered therein within at period against John Longstreth.

George W. Singiser, D. 71. 38. Feb. 14, '72.

Certified by S. COULTER, Pro Proth.

Discontinued and ended. T. HOPE PALMER, Pro Proth.

I, James Ross Snowden, Prothonotary, do certify, that on exam- ng the Judgment Index of the Supreme Court of Pennsylvania, the Eastern District, from July 1, 1870, to the twenty-second y of March, one thousand eight hundred and seventy three, I find unsatisfied judgment entered within that period against John ngstreth. CHAS. B. ROSS, pro Proth.

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ited States, Eastern District of Pennsylvania, ss.

, Gilbert R Fox, certify that there are no unsatisfied judgments aining on record in my Office, obtained against Johu Longstreth ce July 1, 1870.

JOHN B. BEAVER, pro Clerk D. C. U. S.

Philadelphia, March 22, 1873.

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ited States, Eastern District of Pennsylvania, sct :

, Samuel Bell, Clerk of the Circuit Court of the United States, nd for the Eastern District of Pennsylvania, do hereby certify, t there are no unsatisfied judgments remaining on record in my e, obtained against John Longstreth, siuce July 1, 1870.

JOHN B. BEAVER, pro Clerk.

hiladelphia, March 22, 1873.

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rt of Quarter Sessions of the Peace for the City and County of hiladelphia.

certify, that I have examined the Records of the aforesaid Court five years past, and do not find any unsatisfied judgments against n Longstreth.

FRANK P. GODWIN, pro Clerk.

March 24, 1873.

All that certain lot or square of ground situate on the west si
of Forty fourth street, north side of Walnut street, east side of Fo
fifth street and south side of Sansom street, containing in front
said Forty fourth and Forty fifth street respectively two hundr
and fifteen feet two inches, and in length or depth on said Wal
and Sansom street four hundred feet respectively.
George Wood. Samuel C. Bunting, Jr. John Longstre

On searching the Indices of Claims in the City Solicitor's offi
I find no unsatisfied municipal claims or liens filed against the p
mises above described.
April 28, 1873. S. MAX McINTYRE.

On examination of the Locality Index of Claims remaining of
cord in the office of the Prothonotary of the District Court, for
city and county of Philadelphia, I find no unsatisfied claims agai
the premises above described since March 1, 1868.
WM. H. SAYLOR, pro Proth.

March 21, 1873.

On examination of the Locality Index of Claims remaining
record in the office of the Prothonotary of the Court of Comm
Pleas, for the city and county of Philadelphia, I find no unsatisf
claims against the premises above described, since March 1, 1868
W. G. RUSSELL.

March 21, 1873.

On searching the Register of unpaid taxes on real estate, for
city of Philadelphia, I do not find any taxes for the years 1868
1872 inclusive, registered against the above described premises.
J. NUTTALL, Reg. Clerk.

All that certain lot or piece of ground situate in the 27th W
of the city of Philadelphia, beginning at a point in the middle
Forty fourth street and Sansom street, thence extending along
middle of said Sansom street south seventy eight degrees fifty n
minutes, east three hundred and forty feet two inches to a poin
Forty third street, thence along the same north eighteen degr
forty one minutes forty two seconds, east one hundred and twe
three feet four and one quarter inches to another point, the
thence north eighty six degrees twenty eight minutes and thi
one seconds, east twenty one feet five and three eighths inches t
point, thence north six degrees thirty one minutes and fifty secon
east eighty eight feet ten and three quarter inches to a point, the
north seventy nine degrees thirty seven minutes and thirty ei
seconds, west two hundred and ninety eight feet five inches t
point, thence north fourteen degrees twenty eight minutes th
seconds, west seventy three feet nine inches to a point in the mid
of Chestnut street, thence along the same north seventy eight

ees fifty nine minutes, west forty feet three and five eighths
hes to a point in the middle of said Forty fourth street, and
nce along the same south eleven degrees one minute, west two
ndred and eighty feet two inches to the middle of said Sansom
eet and place of beginning.

George Wood. Samuel C. Bunting. John Longstreth.

On searching the Indices of Claims in the City Solicitor's office,
ud no unsatisfied municipal claims or liens filed against the pre-
es above described.

April 8, 1873. S. MAX. McINTYRE.

On examination of the Locality Index of Claims remaiuing of
ord in the office of the Prothonotary of the District Court for the
and county of Philadelphia, I find no unsatisfied claims against
premises above described since March 1, 1868.

See M. L. D. M 70, 294.

March 21, 1873, W. H- SAYLOR, pro Proth.

On examination of the Locality Index of Claims remaining of
ord in the office of the Prothonotary of the Court of Common
as for the City and County of Philadelphia, I find no unsatisfied
ms against the premises above described from March 1, 1868.

WM. G. RUSSELL.

March 20, 1873.

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n searching the Register of unpaid taxes on real estate, for the
of Philadelphia, I do not find any taxes for the years 1868 to
2 inclusive, registered against the above described premises

J. NUTTALL, Reg. Clerk.

---

ll that block or square of ground situate in the Twenty seventh
d. of the city of Philadelphia, bounded by Walnut street, San-
street, Forty third street and Forty fourth street.

BETHELL.

n examining the Register of unpaid taxes, I find nothing against
above described premises for the years 1868 to 1872 inclusive.

J. NUTTALL, Reg. Clerk.

---

n examining the Locality Index of the District Court, I find
ing against the premises above described since November 1st,
3.

D. B. BAKER, pro Proth.

ovember 18th, 1873.

---

n searching the Locality Index of the Court of Common Pleas,
d nothing against the premises above described from November
368.

W. G. RUSSELL.

ovember 18, 1873.

On searching the Index of Claims in the City Solicitor's office find nothing against the above described lot.

S. MAX. McINTYR

November 1, 1873.

On examination of the Judgment Index of the District Court the City and County of Philadelphia, from September 10th, A. one thousand eight hundred and sixty seven (1867), to the eleve day of September, one thousand eight hundred and seventy t (1872), I find no unsatisfied judgments entered therein within t period against George Wood.

Certified by D. A. ALLISON, pro Prot

None to October 6, 1872. D. A. A. pro Proth

On examination of the Judgment Index of the Court of Comm Pleas for the City and County of Philadelphia, from September A. D. one thousand eight hundred and sixty seven (1867), to thirteenth day of September, one thousand eight hundred and enty two (1872), I find no unsatisfied judgments entered the within that period against George Wood.

Certified by S. COULTER, Jr., pro Prot

None to October 6, '72. S. C. J

I, James Ross Snowden, Prothonotary, do certify that on ex ining the Judgment Index of the Supreme Court of Pennsylva for the Eastern District for five years prior to the thirteenth da September, one thousand eight hundred and seventy two, I fin unsatisfied judgment entered within that period against Ge Wood.

CHARLES B. ROSS, pro Prot

None to October 6, '72. C. B. I

United States, Eastern District of Pennsylvania, sct.:

I, Samuel Bell, Clerk of the Circuit Court of the United S in and for the Eastern District of Pennsylvania, do hereby ce that there are no unsatisfied judgments remaining on record i office obtained within the last five years against George Wood.

JOHN B. BEAVER, pro Cle

Philadelphia, this 13th day of September, A. D. 1872.

None to October 6, '72. J. B BEAVER, pro Cle

United States, Eastern District of Pennsyivania, ss.

I, Gilbert R. Fox, certify that there are no unsatisfied judgr remaining on record in my office obtained within the last five against George Wood.

JOHN B. BEAVER, pro Clerk D. C. U.

Philadelphia, this 13th day of September, A. D. 1872.

None to October 6, '72. J. B. BEAVER, pro Cle

On examination of the Judgment Index of the District Court for the City and County of Philadelphia, from October 1st, A. D. one thousand eight hundred and sixty five (1865), to the fourth day of October, one thousand eight hundred and seventy (1870), I find no unsatisfied judgments entered therein within that period against Henry C. Gibson.

Certified by D. A. ALLISON, pro Proth.
None to October 18, 1870. D. A. A., pro Proth.

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia, from October 1st, A. D. one thousand eight hundred and sixty five (1865), to the fifth day of October, one thousand eight hundred and seventy (1870), I find no unsatisfied judgments entered therein within that period against Henry C. Gibson.

Certified by S. COULTER, pro Proth.
None to October 18, 1870. S. C., Jr.

I, James Ross Snowden, Prothonotary, do certify, that on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, from October 1st, 1865, to the fifth day of October, one thousand eight hundred and seventy, I find no unsatisfied judgment entered within that period against Henry C Gibson.

CHAS B. ROSS, pro Proth.
None to October 18, 1870. C. B R.

Court of Quarter Sessions of the Peace for the City and County of Philadelphia.

I certify that I have examined the records of the aforesaid Court, and do not find any unsatisfied judgments against Henry C. Gibson, since October 1st, 1865.

FRED. E. UBER, pro Clerk.
None to October 18, 187 . F. E. U.
October 7, 1870.

United States, Eastern District of Pennsylvania, sct.

I, Samuel Bell, Clerk of the Circuit Court of the United States, and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining of record in my office, obtained against Henry C. Gibson, since October 1st, 1865.

JOHN B. BEAVER, pro Clerk.
None to October 18, 1870.

EDWARD F. PUGH, pro Clerk
Philadelphia, this 6th day of October, A D. 1870.

United States, Eastern District of Pennsylvania, ss.

I, Gilbert R. Fox, certify that there are no unsatisfied judgments

remaining on record in my office, obtained against Henry C. Gibson since October 1st, 1865.

JOHN B. BEANER, pro Clerk D. C. U. S.

None to October 18, 1870. EDWARD F. PUGH, pro Clk.

Philadelphia, this 6th day of October, A. D. 1870.

On examination of the Judgment Index of the District Court for the City and County of Philrdelphia, from October 16th, A. D. one thousand eight hundred and sixty eight (1868), to the seventeenth day of October, one thousand eight hundred and seventy three (1873), I find the following unsatisfied judgments entered therein within that period against John K. McCurdy.

1. City to use. S. 70. 9. C. C. D. Oct. 7, '70, $157 50
2. Wm. Hillery. D. 70. 203. M D. Jan. 26, '71, 357 15

Certified by CHAS P. LYLE, pro Proth.

1. City claims for culvert south side of Market street, west of Forty second.

2. Mechanics' Liens on houses at Thirty seventh and Hamilton streets.

On examination of the Judgment Index of the District Court for the City and County of Philadelphia, from October 16th, A. D. one thousand eight hundred and sixty eight (1868), to the seventeenth day of Octoder, one thousand eight hundred and seventy three (1873), I find no unsatisfied judgments entered therein within that period against Nathan W. Ellis.

Certified by CHAS. P. LYLE, pro Proth.

October 9, '72.

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia, from November 13 A. D one thousand eight hundred and seventy (1870), to the first day of March, one thousand eight hundred and seventy three (1873) I find no unsatisfied judgments entered therein within that period against Nathan W. Ellis, John K. McCurdy.

Certified by S. COULTER, Jr., pro Proth.

On examiation of the Judgment Index of the Supreme Court Pennsylvania, for the Eastern District, from the fifteenth day November, A. D. one thousand eight hundred and seventy (1870 to the first day of March, one thousand eight hundred and seven three, I find no unsatisfied judgments entered therein within th period against Nathan W. Ellis, John K. McCurdy.

JAMES L. BROM, pro Proth.

United States, Eastern District of Pennsylvania, ss.

I, Gilbert R. Fox, Clerk of the District Court of the Unit States for the Eastern District of Pennsylvania, certify that the

are no unsatisfied judgments remaining on record in my office, obtined against Nathan W. Ellis or John K. McCurdy, from November 15th, 1870, to March 1st, 1873

CHARLES S. LINCOLN, pro Clerk District Court.

Philadelphia, this 13th day of October, A. D. 1873.

United States, Eastern District of Pennsylvania, set.

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify, that there are no unsatisfied judgments remaining on record in my office, obtained against Nathan W. Ellis or John K. McCurdy, from November 15, 1870, to March 1st, 1873.

CHARLES S. LINCOLN, pro Clerk.

Philadelphia, this 13th day of October, A. D. 1873.

On examination of the Judgment Index of the District Court for the city and county of Philadelphia, from April 1st, A. D. one thousand eight hundred and sixty nine (1869), to the sixth day of September, one thousand eight hundred and seventy two (1872), I find no unsatisfied judgments entered therein within that period against Samuel C. Bunting, Jr.

Certified by D. A. ALLISON, pro Proth.

Jan'y 19, '71.

On examination of the Judgment Index of the Court of Common Pleas for the city and county of Philadelphia, from April 1st, A. D. one thousand eight hundred and sixty nine, to the seventh day of September, one thousand eight hundred and seventy two (1872), I find no unsatisfied judgments entered within that period against Samuel C. Bunting, Jr.

Certified by S. COULTER, Jr. pro Proth.

I, James Ross Snowden, Prothonotary, do certify, that on examining the Judgment Index of the Supreme Court of Pennsylvania, or the Eastern District, from April 1st, 1869, to the seventh day of September, one thousand eight hundred and seventy two, I find no unsatisfied judgment entered within that period against Samuel C. Bunting, Jr.

CHARLES B. ROSS, pro Proth.

Court of Quarter Sessions of the Peace for the City and County of Philadelphia.

I certify that I have examined the records of the aforesaid Court for five years past, and do not find any unsatisfied judgments against John K. McCurdy, Nathan W. Ellis, George Wood, or Samuel C. Bunting, Jr. FRANK P. GODWIN, pro Clerk.

November 20, '73.

United States, Eastern District of Pennsylvania, sct.

I, Samuel Bell, Clerk of the Circuit Court of the United States for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining on record in my office obtained against Samuel C. Bunting, Jr. since April 1, 1869.

JOHN B BEAVER, pro Clerk.

Philadelphia, this 9th day of September, '72

U. S. Eastern District of Pennsylvania, ss.

I, Gilbert R. Fox, certify that there are no unsatisfied judgment remaining on record in my office obtained against Samuel C. Bunting, Jr., since April 1st, 1869.

JOHN B. BEAVER, pro Clerk D. C. U. S.

Philadelphia, Sept. 9, '72.

ABSTRACT OF TITLE

TO

TWO LOTS OF GROUND

SITUATE IN THE

TWENTY-NINTH WARD

OF THE

CITY OF PHILADELPHIA,

BELONGING TO

HENRY R. SHOCH.

PHILADELPHIA:

1877.

ABSTRACT OF TITLE

TO

TWO LOTS OF GROUND

SITUATE IN THE

TWENTY-NINTH WARD

OF THE

CITY OF PHILADELPHIA,

BELONGING TO

HENRY R. SHOCH.

PHILADELPHIA:

1877.

PHILADELPHIA:
JAMES B. CHANDLER'S STEAM PRINTING ESTABLISHMENT,
Nos. 306 and 308 Chestnut street.

Abstract of Title,

TO

TWO CERTAIN LOTS, or pieces of ground, situate in the Twenty-ninth Ward of the City of Philadelphia; one of them on the north side of Columbia Avenue, south side of Montgomery street and east side of Lambert street:—Containing in front or breadth, on the said Lambert street, five hundred and ten feet, and in depth eastward, sixty one feet, seven and one half inches; and the other of them, on the west side of said Lambert street, at the distance of eighty-five feet northward, from the north side of said Columbia avenue, containing in front or breadth, on the said Lambert street, four hundred and twenty-five feet, and in depth westward, along the south side of said Montgomery street, sixty-four feet.

John Lambert was, in his lifetime, and at the time of his decease, seised, in fee, of two certain adjoining tracts of land, one

of them containing twenty acres, conveyed to him by deed, from Joshua Longstreth and wife, dated the fifteenth day of June, Anno Domini, 1820, and recorded in Deed Book, I. W., No. 7, page 453, etc.; and the other of them containing fifteen and one half acres, and thirty perches, conveyed to him by deed from Joseph Johnson, and others, dated the second day of April, Anno Domini, 1823, and recorded in Deed Book, I. H., No. 7, page 665, etc.

1843. October 23. Examined Record.

Last Will and Testament of the said John Lambert, wherein and whereby he gave and bequeathed to his wife, Elizabeth Lambert, an annuity of one thousand dollars, during her natural life, which he especially charged on his country seat or farm called "Woodstock," where he resided, (being the above mentioned premises,) which he gave and bequeathed, with the residue of his real estate, etc., to his son, John Lambert, and the said testator did afterwards give to each of his three sisters, Mary Foster, Elizabeth Rogers and Ann Torpin, an annuity of one hundred dollars during her natural life, and in case his sister, Elizabeth Rogers, should die before her husband, Henry Rogers, he directed that the annuity payable to her, should, after that event, be in like manner paid to him during his natural life; and did give to each of all his nephews and nieces, children of the bodies of his said three sisters, the sum of fifty dollars, etc.

Duly proven, November 26, 1845, and registered at Philadelphia, in Book of Wills, No. 18, page 97, etc.

Recited in next Deed.

The said Elizabeth Lambert, widow of the said John Lambert, deceased, has since departed this life; the said annuitants have also since departed this life, and the legacies have been paid.

Deed. — John Lambert and Elizabeth N., his wife, to Henry R. Shoch, in fee, for all that certain lot or piece of ground, (being part of the said tract of land, called "Woodstock,") situate on the east side of Twenty-first street, north side of Columbia avenue, and south side of Montgomery street, in the Twenty-ninth Ward of the City of Philadelphia :—Containing in front or breadth, on the said Twenty-first street, five hundred and ten feet, and extending of that width, in length or depth eastward, along the north side of said Columbia avenue, and south side of the said Montgomery street, two hundred and forty-seven feet, seven and one half inches.

1877 January 1. Produced and examined.

Subject to the express condition, and restriction, that no building, or part of a building, thereafter to be erected on the said above described lot of ground, or any part thereof, shall be used or occupied as a bone boiling or skin dressing establishment, soap and candle, glue, starch, lamp black, or poudrette manufactory, or as a slaughter house, or piggery ; nor should the said lot, or any part thereof, be used or occupied as a tannery or brick yard.

Acknowledged January 2, 1877. Recorded same day, in Deed Book, D. H. L., No. 56, page 370, etc.

Deed Poll, under the hand and seal of David C. Richardson, wherein, after reciting that William Y. Colladay and wife, by Indenture, bearing date the seventeenth day of May, Anno Domini, 1869, and recorded at Philadelphia, in Deed Book, J. T. O., No. 239, page 363, etc., *inter alia*, granted and conveyed unto the said David C. Richardson, in fee, a certain lot of ground, situate in the twenty-ninth Ward of the City of Philadelphia ; bounded on the east by Woodstock street, on the south by the said Columbia avenue, on the north by Montgomery street, and on the west by the above

1877. January 29. Produced and examined.

described lot of ground, then of John Lambert, now of Henry R. Shoch :—Containing in front, on Woodstock street, five hundred and ten feet, and in depth westward, fifty-nine feet, and reciting that the said David C. Richardson had subdivided the said lot of ground into building lots, fronting on the said Columbia avenue and Woodstock street, respectively, and had laid out and opened two certain alleys, one of them three feet in width, and in depth, fifty-nine feet, extending into and from the said Woodstock street, the south line thereof at the distance of ninety feet northward from, and parallel with, the said Columbia avenue ; and the other of them four feet in width, extending northward, from the north line of the said three feet wide alley, to the said Montgomery street, and the east line thereof, at the distance of fifty-five feet westward from, and parallel with, the west side of said Woodstock street.

Also reciting the above conveyance from the said John Lambert and wife, to the said Henry R. Shoch, whereupon the said David C. Richardson did thereby grant, bargain and sell unto the said Henry R. Shoch, his heirs, executors, administrators and assigns, the free and uninterrupted use, right, liberty, and privilege of, and passage in and along the above mentioned two several alleys, three feet and four feet wide, respectively, so as aforesaid laid out, and opened by the said David C. Richardson, and of a water course therein. Together with free ingress, egress, and regress, and of a water course therein, to and for the said Henry R. Shoch, his heirs and assigns, and his and their tenants, and under tenants, and occupiers, and possessors of his said lot of ground, or any part or parcel thereof, at all times thereafter forever, into, along, upon, and out of the said alleys or passage ways, in common with him, the said David C. Richardson, his heirs and assigns, owners, tenants and occupiers of the said lots of ground, fronting on the said Columbia avenue and Wood-

stock street, respectively, having the use and privilege of the said alleys or passage ways, and with right and privilege to him, the said Henry R. Shoch, his heirs and assigns, owners and tenants, and occupiers of his said lot of ground, or any part or parcel thereof, of opening one or more alleys, through and along his said ground, to communicate with the said three feet and four feet wide alleys, or passage ways, as passage ways and water courses into the said three feet and four feet wide alleys, respectively.

Subject, nevertheless, to a proportionate part of the expense of keeping the said alleys in proper condition and necessary repair.

Acknowledged same day. Recorded January 31, 1877, in Deed Book, D. H. L., No. 69, page 160, etc.

The said Henry R. Shoch widened the said four feet wide alley, extending into and from the said Montgomery street, to the depth of four hundred and eleven feet, southward, from the south side of said Montgomery street, by the addition of one foot and seven and one-half inches, on the west side thereof.

Recited in the next Deed.

Deed.—Henry R. Shoch, and Sarah E., his wife, to Charles D. Colladay, in fee, for all that certain lot of ground situate in the Twenty-ninth ward, of the City of Philadelphia:—Beginning at a point on the north side of Columbia avenue, at the distance of fifty-nine feet, westward, from the west side of Woodstock street, (said point being also at the distance of two hundred and forty feet, seven and one-half inches, eastward, from the east side of Twenty-first street;) thence extending

1877. January 30. Produced and examined.

westward, along the north side of the said Columbia avenue, sixty-one feet, seven and one-half inches, to the east side of Lambert street, (a new street thirty-five feet wide, laid out, dedicated, and intended to be opened, for public use, forever, by the said Henry R. Shoch, parallel with the said Twenty-first street, and at the distance of one hundred and forty-four feet, eastward, therefrom;) thence extending northward, along the east side of said Lambert street, five hundred and ten feet, to the south side of Montgomery street; thence extending eastward, along the south side of said Montgomery street, sixty feet, to the west side of a certain five feet, seven and one-half inches, wide alley, leading into and from the said Montgomery street; thence extending southward, along the west side of said alley, four hundred and eleven feet, to a point; thence eastward, parallel with said Columbia avenue, one foot, seven and one-half inches, to the west side of a certain four feet wide alley, leading southward, and communicating, at the south end thereof, with a certain three feet wide alley, leading eastward, into the said Woodstock street; thence southward, partly along the west side of said four feet wide alley, partly along the head of the said three feet wide alley, and partly along ground now or formerly of David C. Richardson, ninety-nine feet, to the north side of the said Columbia avenue, the first-mentioned point and place of beginning.

And also all that certain lot of ground, situate on the west side of the said Lambert street, at the distance of eighty-eight feet, northward, from the north side of the said Columbia avenue, in the said Ward and City, containing in front or breadth, on the said Lambert street, four hundred and twenty-two feet, and extending of that width, in length or depth, westward, between parallel lines, at right angles to the said Lambert street, along the south side of the said Montgomery street, sixty feet, to a certain four feet wide alley, extending

southward, from the said Montgomery street, and communicating at the south end thereof, with a certain three feet wide alley, leading into and from the said Lambert street.

Together with the free and common use, right, liberty, and privilege of the said several alleys. Subject to the aforesaid restrictions.

Acknowledged same day. Recorded January 31, 1877, in Deed Book, D. H. L., No. 69, page 183, etc.

Deed.—Charles D. Colladay, and Charlotte B., his wife, to Joseph Carter Powell, in fee, for the said two lots of ground last above described. 1877. February 10. Produced and examined.

Together with the use of the said alleys, and subject to the aforesaid restrictions.

Acknowledged same day. Recorded same day, in Deed Book, D. H. L., No. 74, page 30, etc.

The said Joseph Carter Powell sub-divided the said two lots of ground, above described, into sixty-two smaller or building lots, as shown and numbered from one to sixty-two, inclusive, on the plan thereof, a copy whereof is hereunto annexed, and made and executed to the said Charles D. Colladay, sixty-two several Indentures of Mortgage, of even date with the last recited Indenture, one on each of the said sixty-two lots of ground, as hereinafter mentioned.

Deed.—Joseph Carter Powell, and Janet R., his wife, to Henry R. Shoch, in fee, for the said two lots or pieces of ground last above described. Subject to the said restrictions, and subject to the payment of the aforesaid sixty-two several 1877. February 12. Produced and examined.

mortgage debts, amounting, in the aggregate, to the principal sum of ninety-eight thousand eight hundred dollars, together with the interest thereafter to accrue thereon.

Acknowledged same day. Recorded same day, in Deed Book, D. H. L., No. 69, page 282, etc.

Extracted from the Records and Title Papers produced, by

COLLADAY & HARTLEY.

Philadelphia, April, 1877.

Searches.

On examination of the Judgment Index of the Court of Common Pleas, and the late District Court, for the County of Philadelphia, from December twenty-fifth, A. D. one thousand eight hundred and seventy-one, (1871,) to the third day of January, one thousand eight hundred and seventy-seven, (1877,) I find the following unsatisfied Judgments entered therein, within that period, against John Lambert.

1.—Anne Lambert, *et al.*, 3 J., '75, 490. O'Byrne, July 17, '75, equity.

2.—Anne Lambert, *et al.*, 3 J., '75, 490. Id., Dec. 16, '75.

3.—Wm. H. Phelan, 3 J., '76, 238. M. L. D., Aug. 11, '76, $249 68.

Certified by

[SEAL.] CHAS. F. TYER,
Pro Prothonotary.

Nos. 1 and 2.—This is not against John Lambert, in question, but is against a John Lambert, residing near Forty-fourth street and Lancaster avenue, West Philadelphia.

No. 3, is a claim against premises northeast side of Lancaster avenue, southeast of Hutton street, Twenty-fourth Ward, Philadelphia.

COLLADAY & HARTLEY.

On examination of the Judgment Index of the Court of Common Pleas, and the late District Court, for the County of Philadelphia, from October first, A. D. one thousand eight hundred and seventy six, (1876,) to the eighteenth day of April, one thousand eight hundred and seventy-seven, (1877,) I find the following unsatisfied Judgments entered therein, within that period, against Joseph Carter Powell.

C. D. Colladay, 1 S., '76, 485. Davis & S., Nov. 22, '76, $1,914 00.

A. M. Ellis, *et al.*, 1 S., '76, 484. Davis & S., Nov. 25, '76, $1,727 75.

Certified by

[SEAL.] CHAS. F. TYER,
Pro Prothonotary.

The above certified Judgments are on *Scire Facias sur Mortgage*, and do not affect the premises in question, being obtained before Mr. Powell acquired Title.

COLLADAY & HARTLEY.

On examination of the Judgment Index of the Court of Common Pleas, and the late District Court, for the County of Philadelphia, from October first, A. D. one thousand eight hundred and seventy-six, (1876,) to the eighteenth day of April, one thousand eight hundred and seventy-seven, (1877,) I find no unsatisfied Judgments entered therein, within that period, against Henry R. Shoch or Charles D. Colladay.

Certified by

[SEAL.] CHARLES P. LYLE,
Pro Prothonotary.

I do certify, that on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, for five years prior to the thirtieth day of December, one thousand eight hundred and seventy-six, I find no unsatisfied Judgments entered, within that period, against John Lambert.

[SEAL.] WM. A. SMITH,
Pro Prothonotary.

I do certify, that on examining the Judgment Index of the Supreme Court of Pennsylvania, for the Eastern District, from October first, 1876, to the twenty-first day of April, one thousand eight hundred and seventy-seven, I find no unsatisfied Judgments entered, within that period, against Henry R. Shoch, Charles D. Colladay, or Joseph Carter Powell.

[SEAL.] WM. A. SMITH,
Pro Prothonotary.

COURT OF QUARTER SESSIONS OF THE PEACE FOR THE CITY AND COUNTY OF PHILADELPHIA.

I certify, that I have examined the records of the aforesaid Court for five years past, and do not find any unsatisfied Judgments against John Lambert, Henry R. Shoch, Charles D. Colladay, or Joseph Carter Powell.

[SEAL.] FRANK P. GODWIN,
Pro Clerk.

April 21, 1877.

UNITED STATES,
EASTERN DISTRICT OF PENNYLVANIA. } *sct.*

I SAMUEL BELL, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do

hereby certify that there are no unsatisfied Judgments remaining on record in my office, obtained within the last five years, against John Lambert, Henry R. Shoch, Charles D. Colladay, or Joseph Carter Powell,

[SEAL] JOHN B. BEAVER,
Pro Clerk.

Philadelphia, this twentieth day of April, Anno Domini, 1877.

UNITED STATES,
EASTERN DISTRICT OF PENNSYLVANIA. } *ss.*

I, CHARLES S. LINCOLN, Clerk of the District Court of the United States for the Eastern District of Pennsylvania, certify that there are no unsatisfied Judgments remaining on record in my office, obtained within the last five years, against John Lambert, Henry R. Shoch, Charles D. Colladay, Joseph Carter Powell.

[SEAL.] JOHN B. BEAVER,
Pro Clerk District Court.

Philadelphia, this twentieth day of April, A. D. 1877.

All those two certain lots or pieces of ground, *situate* in the twenty-ninth Ward of the City of Philadelphia. *One of them* on the north side of Columbia avenue, south side of Montgomery street, and east side of Lambert street, (a new street, thirty-five feet wide, laid out and opened for public use, extending from the said Columbia avenue to Montgomery street, at the distance of one hundred and forty-four feet eastward, from the east side of Twenty-First street and parallel therewith,) containing in front or breadth, on the said Lambert street, five hundred and ten feet, and extending of that width, in length or

depth, eastward, along the north side of the said Columbia avenue, and south side of the said Montgomery street, respectively, sixty-one feet, seven and one-half inches. *And the other of them* on the west side of the said Lambert street at the distance of eighty-five feet northward from the north side of the said Columbia avenue, containing in front or breadth, on the said Lambert street, four hundred and twenty-five feet, and extending of that width in length or depth, westward, along the south side of the said Montgomery street, sixty-four feet.

Please certify every unsatisfied Mortgage made of the above described premises or any part thereof by —

John Lambert, from January 1st, 1820, to February 1st, 1877.

Henry R. Shoch, Charles D. Colladay, from December 1st, 1876, to the day you certify.

Joseph Carter Powell, from February 1st, 1877, to the day you certify.

COLLADAY & HARTLEY.

To DAVID H. LANE, ESQ., *Recorder.*

On searching the Index of Mortgages for the City and County of Philadelphia, I find no unsatisfied Mortgages of the above described premises, given by either of the four (4) persons above named, within the periods specified, except sixty-three, (63) one by Henry R. Shoch, to John Lambert, dated January 1st, 1877, for eighty thousand dollars ($80,000); Sixty-two (62) others by Joseph Carter Powell, to Charles D. Colladay, dated February 10, 1877; Fifty-seven (57) of them, for fourteen hundred dollars ($1,400) each; Two (2) of them for four thousand five hundred dollars ($4,500) each; Two (2) others

for two thousand five hundred dollars ($2,500) each, and the other for five thousand dollars ($5,000.)

Witness my hand and seal of office, this nineteenth day of April, A. D. 1877.

[SEAL] GEO. W. SAYER,
Pro Recorder.

On examining the Register of Unpaid Taxes, I find nothing against the above described premises for the years 1872 to 1876, inclusive.

W. F. PRESTON,
Search Clerk.

The Taxes for 1877, paid in full. Receipt produced.

C. & H.

On examining the Locality Index of the Court of Common Pleas, and the late District Court, for the City and County of Philadelphia, I find nothing against the premises above described since April 1, 1871.

[SEAL] S. B. VAN DUSEN,
April 19, 1877. *Pro Proth'y.*

An examination of my Sheriff's Record, as far as collated, fails to discover any Sheriff's sales of the premises as above described.

JNO. C. UHLE.

March 28, 1877.

On searching the Index of Claims in the City Solicitor's office, I find nothing against the above described premises.

S. MAX McINTYRE,
April 24, 1877. *Pro B.*

Explanation of the Mortgages above certified.

The Mortgage for $80,000, from Henry R. Shoch to John Lambert, dated January 1, 1877, recorded in Mortgage Book, D. H. L., No. 104, page 25, etc., covers the whole of the premises above described, *inter alia.*

The sixty-two Mortgages given by Joseph Carter Powell to Charles D. Colladay, are each dated and recorded February 10, 1877, and are upon the sixty-two several lots of ground, as shown upon the following Plan, as follows : —

No.	1,	for	$4,500,	on lot	No.	1	on said Plan,	rec'd in	Mortgage	Book,	D.H.L.,	No. 112, p.	1, etc.
"	2,	"	4,500,	"	2	"	"	"	"	"	5,	"	
"	3,	"	5,000,	"	3	"	"	"	"	"	9,	"	
"	4,	"	1,400,	"	4	"	"	"	"	"	12,	"	
"	5,	"	1,400,	"	5	"	"	"	"	"	16,	"	
"	6,	"	1,400,	"	6	"	"	"	"	"	20,	"	
"	7,	"	1,400,	"	7	"	"	"	"	"	24,	"	
"	8,	"	1,400,	"	8	"	"	"	"	"	28,	"	
"	9,	"	1,400,	"	9	"	"	"	"	"	31,	"	
"	10,	"	1,400,	"	10	"	"	"	"	"	35,	"	
"	11,	"	1,400,	"	11	"	"	"	"	"	39,	"	
"	12,	"	1,400,	"	12	"	"	"	"	"	43,	"	
"	13,	"	1,400,	"	13	"	"	"	"	"	47,	"	
"	14,	"	1,400,	"	14	"	"	"	"	"	51,	"	
"	15,	"	1,400,	"	15	"	"	"	"	"	54,	"	
"	16,	"	1,400,	"	16	"	"	"	"	"	58,	"	
"	17,	"	1,400,	"	17	"	"	"	"	"	62,	"	
"	18,	"	1,400,	"	18	"	"	"	"	"	65,	"	
"	19,	"	1,400,	"	19	"	"	"	"	"	69,	"	
"	20,	"	1,400,	"	20	"	"	"	"	"	72,	"	
"	21,	"	1,400,	"	21	"	"	"	"	"	76,	"	
"	22,	"	1,400,	"	22	"	"	"	"	"	80,	"	
"	23,	"	1,400,	"	23	"	"	"	"	"	84,	"	
"	24,	"	1,400,	"	24	"	"	"	"	"	87,	"	
"	25,	"	1,400,	"	25	"	"	"	"	"	91,	"	
"	26	"	1,400,	"	26	"	"	"	"	"	95,	"	
"	27,	"	1,400,	"	27	"	"	"	"	"	99,	"	
"	28,	"	1,400,	"	28	"	"	"	"	"	103,	"	
"	29,	"	1,400,	"	29	"	"	"	"	"	107,	"	
"	30,	"	1,400,	"	30	"	"	"	"	"	111,	"	
"	31,	"	1,400,	"	31	"	"	"	"	"	115,	"	
"	32,	"	2,500,	"	32	"	"	"	"	"	119,	"	
"	33,	"	1,400,	"	33	"	"	"	"	"	122,	"	
"	34,	"	1 400,	"	34	"	"	"	"	"	126,	"	
"	35,	"	1,400,	"	35	"	"	"	"	"	130,	"	
"	36,	"	1,400,	"	36	"	"	"	"	"	133,	"	
"	37,	"	1,400,	"	37	"	"	"	"	"	137,	"	
"	38,	"	1,400,	"	38	"	"	"	"	"	141,	"	
"	39,	"	1,400,	"	39	"	"	"	"	"	144,	"	
"	40,	"	1,400,	"	40	"	"	"	"	"	148,	"	
"	41,	"	1,400,	"	41	"	"	"	"	"	151,	"	
"	42,	"	1,400,	"	42	"	"	"	"	"	155,	"	
"	43,	"	1,400,	"	43	"	"	"	"	"	159,	"	
"	44,	"	1,400,	"	44	"	"	"	"	"	163,	"	

No.	45,	for	$1.400,	on	lot No	45	on said Plan,	rec'd in	Mortgage Book,	D.H.L., No. 112, p 167, etc.
"	46,	"	1,400,	"	46	"	"	"	"	170, "
"	47,	"	1,400,	"	47	"	"	"	"	174, "
"	48,	"	1,400,	"	48	"	"	"	"	178, "
"	49,	"	1,400,	"	49	"	"	"	"	181, "
"	50,	"	1,400,	"	50	"	"	"	"	185, "
"	51,	"	1,400,	"	51	"	"	"	"	188, "
"	52,	"	1,400,	"	52	"	"	"	"	192, "
"	53,	"	1,400,	"	53	"	"	"	"	195, "
"	54,	"	1,400,	"	54	"	"	"	"	199, "
"	55,	"	1,400,	"	55	"	"	"	"	202, "
"	56,	"	1,400,	"	56	"	"	"	"	206, "
"	57,	"	1,400,	"	57	"	"	"	"	210, "
"	58,	"	1,400,	"	58	"	"	"	"	213, "
"	59,	"	1,400,	"	59	"	"	"	"	217, "
"	60,	"	1,400,	"	60	"	"	"	"	221, "
"	61,	"	1,400,	"	61	"	"	"	"	224, "
"	62,	"	2,500,	"	62	"	"	"	"	228, "

COLLADAY & HARTLEY,

Philadelphia, April, 1877.

MONTGOMERY STREET.

TWENTY-FIRST STREET.

LAMBERT STREET.

WOODSTOCK STREET.

COLUMBIA AVENUE.

80. 510

4

60.

62.	16.	494.
61.	14.	480.
60.	14.	466.
59.	14.	452.
58.	14.	438.
57.	14.	424
56.	14	410.
55.	14.	396.
54.	14.	382.
53.	14.	368.
52.	14.	354.
51.	14.	340.
50.	14.	326.
49.	14.	312.
48.	14.	298
47.	14.	284.
46.	14.	270.
45.	14	256.
44.	14	242.
43.	14	228.
42.	14.	214.
41.	14.	200.
40.	14.	186.
39.	14.	172.
38.	14.	158.
37.	14.	144.
36.	14.	130.
35.	14.	116.
34.	14.	102.
33.	14.	88.

4 60. 3

64

35.

60.

32.	16.	
31.	14.	
30.	14.	
29.	14.	
28.	14.	
27.	14.	
26.	14.	
25.	14.	
24.	14.	
23.	14	
22.	14.	
21.	14.	
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19.	14.	
18.	14.	
17.	14.	
16.	14.	
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9.	14.	
8.	14	
7.	14	
6.	14	
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26.7½ 17 9 17 9 59.

76 9 59.

85

144.

417.

55.

J. M. SIDDALL & SON
CONVEYANCERS
NOV
13
1873
320 So. 5th St
PHILADELPHIA
59

Brief of Title

TO A CERTAIN

LOT OR PIECE OF GROUND

SITUATE IN THE

TWENTY-FIFTH WARD

OF THE

City of Philadelphia,

THE PROPERTY OF THE

Cohocksink Land Company.

PHILADELPHIA:

JOHN C. CLARK & SONS, PRINTERS, 230 DOCK STREET.

1873.

See Misc Box 3 No 3899

Brief of Title

To Lot marked on Plan "A."

ALL THAT CERTAIN Tract, Piece or Parcel of Land described according to a recent survey made thereof by James P. Davis, Surveyor and Regulator of the Sixth District of the City of Philadelphia, as follows, to wit: Beginning at the north-west corner of Sixth and Somerset streets, and thence extending westwardly along the north side of said Somerset street, crossing Marshall street, 418 feet 9¼ inches, to the east side of Seventh street; thence north along the east line of said Seventh street, 241 feet 3⅛ inches, to a point; thence north 27° 14′ west, 663 feet 10 inches, to the west side of Eighth street; thence north along the west side of said Eighth street, 143 feet, to a point; thence west parallel with Indiana street, 228 feet 2¼ inches, to the east side of Ninth street; thence north along the east side of said Ninth street, 143 feet and ⅜ of an inch, to a point; thence north 27° 14′ west 80 feet 2 inches, to a point in the west side of said Ninth street; thence north along the west side of said Ninth street, 52 feet 9¾ inches, to a point 65 feet north of Indiana street; thence west parallel with said Indiana street, 134 feet and ⅝ inches, to a point; thence north parallel with said Ninth street, 108 feet 11⅜ inches, to a point; thence north 61° 31′ east 1 foot 10⅞ inches, to a point; thence north 27° 14′ west 2 feet 2⅞ inches, to a point; thence north parallel with said Ninth street, 7 feet; thence east parallel with said Indiana street, 184 feet and ⅝ inches, to the east side of said Ninth street; thence north along the east side of said Ninth street, 190 feet, to a point; thence east parallel with Clearfield street, 114 feet 2¼ inches, to a point; thence north parallel with said Ninth street, 126 feet, to Clearfield street; thence east along the south side of said Clearfield street, 164 feet, to the east side of Eighth street; thence north along the east side of said Eighth street, 173 feet, 2⅝ inches, to a point; thence south 27° 14′ east 2145 feet 2¾ inches, to the west side of Fifth street; thence south along the west side of said Fifth street, crossing Somerset street, 320 feet and 4½ inches, to a point; thence south 61° 52′ 7″ west 471 feet 1⅛

inches, to a point in Fairhill street; thence north 27° 14′ west 226 feet 5½ inches, to the east side of Sixth street; thence north along the east side of said Sixth street, 21 feet 3½ inches; thence east parallel with Somerset street, 186 feet 10¼ inches, to the east side of Fairhill street; thence north along the east side of said Fairhill street, and crossing Somerset street, 425 feet, to a point; thence west parallel with said Somerset street, 186 feet 10¼ inches, to the east side of said Sixth street; thence north along the east side of said Sixth street, 56 feet, to a point; thence east parallel with said Somerset street, 186 feet 10¼ inches, to the east side of said Fairhill street; thence north along the east side of said Fairhill street, 174 feet, to a point; thence west parallel with said Somerset street, 236 feet 10¼ inches, to the west side of said Sixth street; and thence south along the west side of said Sixth street, 330 feet, to the place of beginning.

By virtue of divers good and sufficient conveyances and assurances in the law, Nicholas Waln became seised in his demesne as of fee of and in 103 acres of land, in the County of Philadelphia.

1697. 7th Mo. 10th.

Recited in Deed Furnice to Bennett. vide Post.

Deed-Poll.—Nicholas Waln to Ellis Jones, in fee, for a certain grant of land in the said County of Philadelphia, on the south side of a certain small brook or run called Gunner's creek; beginning at the said creek, by a line of Robert Turner's land, and from thence W. S. W. 63 perches, from thence S. S. E. 74 perches, from thence W. S. W. 113 perches, from thence N. N. W. 153 perches, to the creek, and by the several courses of the same, 48 perches, to a sassafras tree marked; from thence E. 44 degrees, S. 39 perches; then by the several courses of the creek, 38 perches, to an old stump marked; thence E. 7 degrees, north 16 perches; thence by the several courses of the said creek, 111 perches, to the place of beginning; containing 103 acres of land, with the appurtenances.

1705. 10th Mo. 1st.

Recited in Deed Furnice to Bennett.

Deed-Poll.—Ellis Jones to Robert Heaton, Jr., his heirs and assigns, for the said 103 acres, with the appurtenances.

1711. Feb'y 5th.

Recited in Deed Furnice to Bennett.

Deed-Poll.—Robert Heaton to Evan Griffith, his heirs and assigns, for the 103 acres of land. Together with the appurtenances

Deed-Poll.—Evan Griffith to John Furnice, his heirs and assigns, for the 103 acres of land. Together with the appurtenances. 1711. Feb'y 20th. Recited in Deed Furnice to Bennett.

Deed.—John Furnice and Penelope his wife, to Ishmael Bennett, his heirs and assigns, for the 103 acres of land. Together with the appurtenances. 1716. July 16th. Examined Record.

Acknowledged same day, and Recorded August 18th, 1716, in Deed Book E, No. 7, Vol. 10, page 177, &c.

Deed.—(Endorsed on the last above recited Deed). Ishmael Bennett and Rachel his wife, to Nicholas Waln, in fee, for the same 103 acres of land, with the appurtenances. 1716. July 26th. Examined Record.

Acknowledged August 18th, 1716, and Recorded August 18th, 1716, in Deed Book E, No. 7, Vol. 10, page 181, &c.

Deed.—Nicholas Waln and Jane his wife, to Ishmael Bennett, in fee, for said 103 acres of land. Together with the appurtenances. 1716. July 26th. Examined Record.

Acknowledged August 18th, 1716, and Recorded in Deed Book E, No. 7, Vol. 9, page 443, &c.

Deed of Defeasance.—Ishmael Bennett and Rachel his wife, to James Tuthill, in fee, for said 103 acres of land. Together with the appurtenances. Conditioned for the payment of £117, within a certain time. 1716. July 27th. Examined Record.

Acknowledged August 18th, 1716, and Recorded in Deed Book E, No. 7, Vol. 9, page 445, &c.

Deed.—Ishmael Bennett to Charles Read, for the Equity of Redemption of the said 103 acres, on payment of the sum of £117. 1718. Feb'y 8th. Recited in next hereinafter recited Deed.

Deed.—Charles Read to James Tuthill, in fee, for the 103 acres. Freed and discharged of and from the said defeasance and condition therein contained, and free from all benefit of redemption, in law or equity. Whereupon the fee of the said 103 acres of land vested in James Tuthill. 1718. Nov. 27th. Examined Record.

Acknowledged Dec'r 10th, 1718, and Recorded in Deed Book F, Vol. 1, page 317, &c.

1727. Feb'y 9th. Examined. Record.

Will of James Tuthill, wherein and whereby he gave, devised and bequeathed unto his kinsman, John Lassell, and to the heirs of his body lawfully begotten, forever, all that messuage, tenement, and tract of land of 103 acres, in the County of Philadelphia; and in the event of the said John Lassell should not have such heirs, or if they should die first and be extinct, then in such case he gave and devised all of the said messuage, tenement, and plantation of land nnto the said John Lassell's brother, Thomas Lassell.

Duly proved Feb'y 19th, 1727, and Registered at Philadelphia, in Will Book E, page 71, &c.

NOTE. The said John Lassell died without issue, about 1755, whereupon the said premises became vested in fee in Thomas Lassell.

1760. Sept. 5th.

Recited in the next recited Will and Deed.

Deed.—Thomas Lassell to Evan Morgan, in fee, for the same 103 acres of land, with the appurtenances described therein, as follows: "beginning at a post a corner of land late of Samuel Carpenter, now in the possession of Isaac Norris' heirs, thence running by the line of another tract of said Isaac Norris' land, and by land of Fair Hill Meeting House, N. N. W. 138 perches, to a black oak sapling by a small creek or run of water dividing this from land of Nicholas Waln, thence down the run about 49 perches, to a post by the run, thence S. 54 degrees E. 43 perches, to a post, thence S. 76 degrees E. 14 perches, to post, thence E. 70 perches, to a post, thence S. 65 degrees E. 38 perches, to a black oak, thence S. 20 degrees E. 19 perches, to an ash tree in a swamp, thence S. 85 degrees E. 19 perches, to a spanish oak, thence S. E. by S. six perches, to a post (the seven lines last mentioned divide this from the said Nicholas Waln's land), thence by the lands of Joseph Growdin and Isaac Norris, S. W. 179 perches, to the place of beginning. Containing 103 acres.

1763. Jan. 29th. Examined Record.

Will of Evan Morgan, wherein and whereby he devised in the words following: "Item. I give, devise and bequeath all that my messuage or tenement, plantation and tract of land, containing 103 acres, more or less, situate and being in the Northern Liberties of this City, which I purchased of Thomas Lassell, unto my said three daughters, Sarah Masters, Elizabeth Morgan and Ann Morgan, to hold to them, their heirs and assigns, forever, as tenants in common, and not as joint tenants, equally to be divided between them."

Duly proved Feb'y 14th, 1763, and Registered at Philadelphia, December 14th, 1763, in Will Book M, page 469, &c.

Note. Ann Morgan, one of the daughters and devisees above named, afterwards intermarried with Thomas Bond, Jr.

Deed of Gift.—Elizabeth Morgan (one of the devisees above named), singlewoman, to her niece, Mary Masters (daughter of her sister, Sarah Masters above named,) in fee, for her, the said Elizabeth's, one full undivided third part of said messuage, tenement, plantation and tract of 103 acres. 1765. May 25th. Examined Record.

Acknowledged May 25th, 1779. Recorded April 16, 1792, in Deed Book D, No. 33, page 334, &c.

Deed of Gift.—Sarah Masters (one of the devisees in the above recited will), with William Masters, her husband, unto their daughter, Mary Masters, in fee, for her, the said Sarah's, one full undivided third part of and in the said messuage and tract of 103 acres. 1768. Feb. 10th. Examined Record.

Acknowledged May 10, 1768. Recorded April 16, 1792, in Deed Book D, No. 32, page 527, &c.

Note. Mary Masters afterwards intermarried with one Joseph Clark.

The said plantation of 103 acres were therefore held in undivided portions by the parties above named, as follows, viz:

By Mrs. Ann Bond (late Ann Morgan), $\frac{1}{3}$.

By Mary Clark (late Mary Masters), $\frac{2}{3}$.

A parol partition of the said premises was afterwards made by and between the said Mrs. Bond and Mrs. Clark, and their husbands, prior to the year 1795, which partition was perfected and confirmed, each to the other, by each owner taking possession of the share allotted to her in severalty. By this partition 35 acres 146 perches (part of said 103 acres) falling to the share of Mrs. Bond, was always thereafter held by her in severalty as her full share in said partition, and she died seised thereof, intestate, leaving as her heirs at law two children, viz: Mary, (who intermarried with William Ward Burrows), and Sarah, (who intermarried with David Easton.)

1795. April 9th. Produced and Examined.

Deed.—William Ward Burrows and Mary his wife, and David Easton and Sarah his wife, to Wilson Hunt, in fee, for a certain tract of land situate, lying and being in the County of Philadelphia. Containing 35 acres and 146 perches of land.

Duly acknowledged Aug. 29, 1795, May 15, 1795, and Recorded June 15, 1798, in Deed Book D, No. 72, page 86, &c.

1795. Aug. 5th Produced and Examined.

Deed.—Wilson Hunt to Samuel Jackson, in fee, for said tract of 35 acres and 146 perches.

Acknowledged June 4, 1798. Recorded June 15, 1798, in Deed Book D, No. 72, page 85, &c.

1796. Mar. 7th. Produced and Examined.

Deed.—Samuel Jackson and Elizabeth his wife, to James Smith, Jr., in fee, for said tract of 35 acres and 146 perches of land.

Acknowledged March 7, 1796. Recorded June 15, 1798, in Deed Book D, No. 72, page 89, &c.

1798. June 4th. Produced and Examined.

Deed.—James Smith, Junior, and Esther his wife, to Moses Nathans, in fee, for said tract of 35 acres and 146 perches of land.

Acknowledged June 4, 1798. Recorded June 15, 1798, in Deed Book D, No. 72, page 60, &c.

1799. Aug. 26th. Produced and Examined.

Deed.—Moses Nathans and Sarah his wife, to Ephraim Clark, in fee, for said tract of 35 acres and 146 perches of land.

Acknowledged August 27, 1799. Recorded August 31, 1799, in Deed Book D, No. 78, page 238, &c.

The said Ephraim Clark afterwards departed this life seised in his demesne as of fee of and in the above mentioned tract of 35 acres and 146 perches of land, having first made and published his last will and testament in writing.

1842. May 12th. Examined Record.

Will of Ephraim Clark, wherein and whereby he devised the said 35 acres and 146 perches of land (inter alia) to Ephraim Clark, Junior, Tobias Wagner and William Smith Neilson, in trust, for the uses and purposes in said will mentioned.

Duly proved May 13, 1844. Registered at Philadelphia in Will Book No. 17, page 118, &c.

At a Court of Common Pleas for the City and County of Philadelphia, held at Philadelphia, the day and year aforesaid, the petition of said Tobias Wagner was presented, asking to be discharged from the trust mentioned in the will of Ephraim Clark, deceased. The said Court discharged the said Tobias Wagner, and appointed Charles E. Lex, Esq., in his place and stead.

Vide Assignee's and Trustee's Docket C, page 185.

1849. Oct. 6th. Examined Record.

Act of General Assembly of the Commonwealth of Pennsylvania, entitled "An Act to enable Thomas Hoge to make a fee simple title to enable the Trustees under the will of Ephraim Clark and Catharine Yoke to sell certain real estate, approved the day and year aforesaid; the said Trustees were authorized and empowered to sell and dispose of (inter alia) the above described tract of land which he the said Ephraim Clark, deceased, purchased from Moses Nathans, in the said will mentioned, at public or private sale, either for cash or upon mortgage or upon ground rent, as the said Trustees might see fit, with the power of extinguishment in the case of a ground rent, without the purchaser being bound to see to the application of the consideration money, or the money paid in extinguishment of the ground rent; provided, that before any consideration money, or any money paid in extinguishment of the ground rent shall be received by the said Trustees, they shall give bond, with surety to be approved by the Court of Common Pleas for the County of Philadelphia, conditioned to invest the money so paid in such securities, or in the purchase of such ground rents as the said Court might approve, to be held in trust for the same uses and purposes as are set forth in the said will of Ephraim Clark, the elder, deceased, concerning the said premises; or in default of such security, the said Court may direct the investment thereof in such securities as they may see fit. Subject to said trust, and subject to their direction and control.

Vide Pamphlet Laws, 1849, page 592, &c.

1849. April 10.

Court of Common Pleas.—Petition of Trustees filed. Court approved of the said sale. Security ordered in the sum of fifty dollars, which was duly entered.

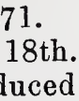
Vide Assignee's and Trustee's Docket C, page 185.

1849. Dec. 29.

1871. Oct. 18th. Produced and Examined.

Deed.—Ephraim Clark, Junior, and Charles E. Lex, who survived William Smith Neilson, Trustees of Elizabeth Clark, under the will of Ephraim Clark, the elder, to John Conn, in fee, for a large tract of land, of which the premises described at the head of this Brief are part.

Acknowledged same day. Recorded October 20, 1871, in Deed Book J. A. H., No. 180, page 422, &c.



1871. Oct. 18th. Produced and Examined.

Deed.—John Conn and Elizabeth his wife, to the "Cohocksink Land Company," their successors and assigns, in fee, for the premises described at the head of this Brief.

Acknowledged same day, and Recorded Oct. 20, 1871, in Deed Book J. A. H. No. 180, page 413, &c.

For previous Title to Premises first hereinafter described, see printed Brief of Joseph Parker Norris, the elder, deceased.

1849. June 1st. Examined Record.

Deed.—Charles Norris and others, Trustees under the last will and testament of Joseph Parker Norris, the elder, deceased, to the Commissioners and Inhabitants of the Kensington District of the Northern Liberties, their successors and assigns, for a certain large lot of ground, of which the first hereinafter described premises are part.

Acknowledged June 30, 1849. Recorded November 30, 1849, in Deed Book G. W. C., No. 22, page 453, &c.

1849. Oct. 2d.

Recited in the next hereinafter recited Deed.

By an ordinance of the Commissioners and Inhabitants of the Kensington District of the Northern Liberties, it was enacted that the said Commissioners and Inhabitants of the Kensington District of the Northern Liberties be authorized and empowered to sell in exchange with the Trustees of Ephraim Clark, deceased, the next hereinafter described lot of ground, and to make a deed for the same.

1850. Sept. 30. Produced and Examined.

Deed of Exchange.—The Commissioners and Inhabitants of the Kensington District of the Northern Liberties, receiving in exchange certain lots therein described, and giving and granting in exchange to Ephraim Clark, Junior, William Smith Neilson and Charles E. Lex, Trustees under the last will and testament of

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At a Court of Common Pleas held 4 Aug 1871 -
An instrument of writing or articles of association made by the persons thereto subscribed was directed to be filed and notice of application of said persons for a charter of incorporation was directed to be published according to law -
At a Court aforesaid held 18 Sept 1871 the said association was incorporated under the name of "The Cohocksink Land Association" - to continue for 40 months from the date of granting the Charter unless after a sale of all their Estate and distribution of the assets among the Stockholders, the latter should agree to an earlier dissolution of the same with power to purchase Real Estate at any time after organization and to part or divide the same and make sale thereof &c.

Charter Recorded in the Office for Recording of Deeds 5 October 1871 in Misc. Book JAH. No 1 (No 21) page 435 &c.

And the said Richard Hill in his lifetime, and at the time of his decease, being so seised of his estate and trust aforesaid, made his last will and testament in writing, duly executed, and thereby devised the residuary part of his estate, of which his trust in the land aforesaid was part, unto Richard Hill, Junior, and Hannah, his sister, wife of Samuel Preston Moore.

Recited in the next recited Deed.

1850. Sept. 30. Produced and Examined.

Deed of Exchange.—The Commissioners and Inhabitants of th Kensington District of the Northern Liberties, receiving in ex change certain lots therein described, and giving and granting i exchange to Ephraim Clark, Junior, William Smith Neilson an Charles E. Lex, Trustees under the last will and testament o

Ephraim Clark, the elder, deceased, their heirs and assigns—a certain triangular lot or piece of ground situate, lying and being in the Northern Liberties, on the north side of Somerset street, and east side of Seventh street, containing in front on said Somerset street, 180 feet, more or less, and extending in depth along said Somerset street, 200 feet, more or less, to Clark's property. Being part of the tract described at the head of this Brief.

Duly acknowledged Oct'r 1, 1850. Recorded January 1, 1851, in Deed G. W. C. No. 78, page 227, &c.

Patent.—William Penn, Proprietary and Governor of the Province of Pennsylvania, to Samuel Carpenter, Anthony Morris, Richard Hill, in right of George Fox, for twenty acres of land in the Liberties of Philadelphia; beginning at a post at a corner of Arnold Castle's land, thence by the said Castle's land, and the land of Fair Hill Meeting House, east-north-east 56 perches, to a set post, thence N. N. W. by line of Nicholas Waln's land, 56½ perches, to a third post, thence W. S. W. 56 perches, to a fourth post, thence by the line of Ritner's land, S. S. E. 56½ perches, to the place of beginning. Containing 20 acres of land.

1705. Aug. 28th. Produced and Examined

Recorded in Rolls Office at Philadelphia, in Patent Book "A," Vol. 3, page 123, 1st day of 7th month, 1705.

Note. The above mentioned Patent was made to Samuel Carpenter, Anthony Morris and Richard Hill, in trust, for the sole use and benefit of the members of the monthly meeting of the people called Quakers, at Philadelphia, and to the end that they the said Trustees, and the survivors of them, should convey the same to such person and persons, and for the estate and estates, use and uses, as the members of the said monthly meeting should at any time or times thereafter direct and appoint. And the said Anthony Morris and Samuel Carpenter afterwards died, and the whole trust in the said twenty acres of land vested in the aforesaid Richard Hill, his heirs and assigns, by survivorship.

Recited in the next recited Deed.

And the said Richard Hill in his lifetime, and at the time of his decease, being so seised of his estate and trust aforesaid, made his last will and testament in writing, duly executed, and thereby devised the residuary part of his estate, of which his trust in the land aforesaid was part, unto Richard Hill, Junior, and Hannah, his sister, wife of Samuel Preston Moore.

Recited in the next recited Deed.

1729. Sept. 8th. **Will** of Richard Hill, the elder, wherein he devised as follows: and the other third part he gave and bequeathed unto his kinsman, Richard Hill, and his sister, Hannah Hill, in equal parts, to be divided between them.

Duly proved September 8th, 1829, and Registered at Philadelphia in Will Book E, page 112, &c.

NOTE. The said members of the Monthly Meeting of the people called Quakers, requested that the said Samuel Preston Moore and Hannah his wife, and Richard Hill, Junior, would convey the 20 acres of land aforesaid to the parties of the second part of the next hereinafter recited deed.

1748. Dec. 28th. Produced and Examined. **Deed.**—Samuel Preston Moore and Hannah his wife, and Richard Hill, Junior, to Edward Cathrall, John Moore, Abel James, John Armitt, Joshua Emlen, John Reynall, John Smith, and Israel Pemberton, Junior.

Acknowledged February 14, 1749. Recorded July 11, 1856, in Deed Book R. D. W. No. 83, page 302, &c.

1767. April 24. Produced and Examined. **Deed of Confirmation.**—John Fox and Tyringham Palmer, the feoffee in the trust of George Fox, William Dalby and Rebecca his wife, Tyringham Palmer, the elder, and Mary his wife, and Elizabeth Fox (they the said John Fox, Rebecca Dalby, Mary Palmer and Elizabeth Fox, being the only surviving children and representative issue of Joseph Fox, late of Colesworth, in the County of Warwick, England, deceased, who was the only son of George Fox late of Colesworth aforesaid, who was the only brother of John Fox who died without issue, and which said John Fox was the eldest son of John Fox, who was the only brother of George Fox, the elder, of the City of London), of the first part; Edward Cathrall John Smith, John Morris, Abel James, Joshua Emlen, John Reynall and Israel Pemberton, of the second part; Samuel Preston Moore, of the third part; Elizabeth Cunningham, of the fourth part Benjamin Franklin, Esq., of the fifth part; and William Farie and Mary his wife, of the sixth part, for, inter alia, the said twenty acres of land.

Acknowledged May 27, 1767. Recorded July 11, 1856, in Deed Book R. D. W. No. 83, page 284, &c.

NOTE. The last above recited deed confirms unto the several parties thereto several tracts of land and premises to which they were entitled (including the said twenty acres of land to the Trustees aforesaid.)

Letter of Attorney.—Samuel Hopkins (successor in the trust above mentioned), constituting and appointing Thomas Scattergood his true and lawful attorney, to grant and convey all lands in which he was interested as a Trustee for the Monthly Meeting of Friends, commonly called Quakers, and in his name to sign deeds to such parties as the said Monthly Meeting might from time to time direct.

1808. 19th of 4th Mo. called April. Examined Record.

Acknowledged July 23, 1808. Recorded November 2, 1808, in Letter of Attorney Book E. F., No. 3, page 502, &c.

Letter of Attorney.—James Bringhurst (a survivor in the trust above mentioned), constituting and appointing Jonathan Evans his true and lawful attorney, to grant and convey all lands in which he was interested as a Trustee for the Monthly Meeting of Friends, commonly called Quakers, and in his name to sign deeds to such parties as the said Monthly Meeting might from time to time direct.

1808. 14th of 6th Mo. called June. Examined Record.

Acknowleged June 14, 1808. Recorded November 2, 1808, in Letter of Attorney Book E. F., No. 3, page 500, &c.

Letter of Attorney.—Joseph Gibbons (a survivor in the trust above mentioned), constituting and appointing Jonathan Evans his true and lawful attorney, to grant and convey all lands in which he was interested as a Trustee for the Monthly Meeting of Friends, commonly called Quakers, and in his name to sign deeds to such parties as the said Monthly Meeting might from time to time direct.

1808. 8th of 7th Mo. called July. Examined Record.

Acknowledged August 6, 1808. Recorded November 2, 1808, in Letter of Attorney Book E. F., No. 3, page 499, &c.

Deed of Eight Parts.—Samuel Sansom, John Field, Henry Drinker, Samuel Hopkins (by his attorney, Thomas Scattergood), and Thomas Scattergood, in his own right, Nicholas Waln, James Bringhurst (by his attorney, Jonathan Evans), Thomas Fisher and Samuel Coates, of the first part; James Bringhurst (by his said attorney, the said Thomas Fisher) and Samuel Coates, the said

1809. 22d of 4th Mo. called April.

minutes of the said Monthly Meeting, held on the 4th month, 22d, 8th month, 19th, and 9th month, 16th, 1847, will appear.

1847. 8th of 10th Mo. called October. Produced and Examined.

Deed.—William Stephenson and John Childs, surviving Trustees of the Monthly Meeting of the Religious Society of Friends, held at Green street, Philadelphia, to John M. Odgen, Charles Noble, Joshua Lippincott, Junior, Samuel T. Childs and William M. Levick, for (inter alia) the above described tract of six acres, in trust, nevertheless, to and for the use of the said Monthly Meeting of the Religious Society of Friends, commonly called Quakers, held at Green street, Philadelphia, and to make and execute such deed or deeds of conveyance, and to grant and convey and assure the same to such person or persons, and for such estates and estate, as the said Monthly Meeting should at any time thereafter direct and require, under and in accordance with the customs, rule and discipline of the said Society.

Duly acknowledged October 14, 1847. Recorded October 20, 1847, in Deed Book A. W. M. No. 50, page 35, &c.

NOTE. The last above recited deed sets forth that Samuel Noble was a surviving Trustee, and party to said conveyance, but he did not sign the said indenture.

Recited in the next hereinafter recited Deed.

NOTE. At a Monthly Meeting of the Religious Society of Friends held at Green street, Philadelphia, the said parties to the next hereinafter recited deed were directed, under and in accordance with the rules and discipline of said Society, to grant and convey unto the parties of the second part thereto, in exchange for the premises so to be conveyed to them by the said parties of the first part, the said premises designated in said deed as Nos. 3 and 4.

1856. 22d of 3d Mo. called March. Produced and Examined.

Deed of Exchange.—John M. Odgen, Charles Noble, Joshua Lippincott, Junior, Samuel T. Childs and William M. Levick, Trustees of the Monthly Meeting of the Religious Society of Friends, commonly called Quakers, receiving in exchange certain lots therein described, and giving and granting in exchange to Ephraim Clark, Junior, and Charles E. Lex, who survived William Smith Neilson, Trustees of Elizabeth Clark, under the will of Ephraim Clark, the elder, deceased, two certain lots of ground, one of them No. 3 in said deed, being a triangular lot situate on the east side of Ninth

street, in the 25th Ward of the City of Philadelphia; beginning at the distance of 148 feet 9⅜ inches south of Indiana street; thence extending eastward parallel with Indiana street, 114 feet 1⅛ inches, to a point; thence north-westerly 182 feet 11¼ inches, to the east side of said Ninth street; and thence southward along the same, 143 feet ⅛ of an inch, to the place of beginning. And the other of them (No. 4) a triangular lot, beginning at a point at the distance of 65 feet northward from Indiana street, and 134 feet ⅝ of an inch westward from Ninth street; thence extending eastward parallel with Indiana street, 89 feet 4⅜ inches, to a point; thence north-westerly 140 feet 11⅜ inches, to a point; thence south-westerly 1 foot 7 inches, to a point; thence southward parallel with said Ninth street, 108 feet 11⅜ inches, to the place of beginning.

Acknowledged same day. Recorded March 29th, 1856, in Deed Book R. D. W. No. 62, page 542, &c.

Title to 3 Triangular Lots marked on Plan "B," Nos. 1, 2, 3.

For previous Title vide. printed Brief of the Fair Hill Land Company.

Deed of Exchange.—Fair Hill Land Company, receiving in exchange certain lots therein described; and giving and granting in exchange to the Cohocksink Land Company, their successors and assigns, the three certain lots of ground marked in Plan B.

1872. April 1st. Produced and Examined.

Acknowledged same day. Recorded August 8th, 1872, in Deed Book J. A. H. No. 262, page 448.

Title to 4 Triangular Lots marked on Plan "C," Nos. 1, 2, 3, 4.

For previous Title vide. printed Brief of the Fair Hill Estate.

Deed of Exchange.—Isaac Norris and Henry Norris, Trustees of the Fair Hill Estate, receiving in exchange certain lots therein described, and giving and granting in exchange to the Cohocksink Land Company, their successors and assigns, the four certain lots of ground marked in Plan C.

1872. Dec. 17th. Produced and Examined.

Acknowledged same day. Recorded January 6th, 1873, in Deed Book F. T. W. No. 13, page 257, &c.

Title to the 5 Triangular Lots of Ground marked on Plan "D," Nos. 1, 2, 3, 4, 5.

For previous Title to same vide. printed Brief of Title of the Fair Hill Land Company.

1872. Oct. 7th. Produced and Examined.

Deed Tripartite.—Thomas T. Lea and Joseph B. Townsend, Executors of the last Will and Testament of Sarah Clark, deceased, of the first part; Reverend John W. Childs, Executor and Trustee named in the last Will and Testament of Thomas M. Clark, deceased, of the second part; and Isaiah L. Shoemaker, Jonathan Cone and John S. Serrill, of the third part; the parties of the first and second parts thereto granting and conveying unto the party of the third part a certain large tract of land situate in the 25th Ward of the City of Philadelphia, adjoining land of the Cohocksink Land Company, including the 5 triangular lots marked in Plan D.

Acknowledged same day. Recorded October 11, 1872, in Deed Book J. A. H. No. 286, page 381, &c.

1873. July 15th. Produced and Examined.

Deed.—Isaiah L. Shoemaker, Jonathan Cone, and Rebecca C. his wife, and John S. Serrill and Rebecca B. his wife, to the Cohocksink Land Company, their successors and assigns, for the last above mentioned five lots of ground.

Acknowledged
Recorded
Deed Book

Extracted from the records and papers produced by

H. W. GIMBER,
JOSEPH MERCER.

Please certify all unsatisfied Mortgages of Record made of the premises described at the head of this Brief, given by

Commissioners and Inhabitants of the Kensington District of the Northern Liberties, from May 31, 1849, to January 10, 1851.

Wilson Hunt, from April 9, 1795, to July 1, 1798.

Samuel Jackson, from August 1, 1795, to July 13, 1798.

James Smith, from March 1, 1796, to June 30, 1798.

Moses Nathans, from June 1, 1798, to September 1, 1799.

Ephraim Clark (elder), from August 1, 1799, to May 15, 1844.

Tobias Wagner (Trustee), from May 1, 1842, to Nov. 1, 1849.

William Smith Neilson (Trustee), from May 1, 1842, to January 1, 1855.

Ephraim Clark, Junior, Charles E. Lex (Trustees), since May 1, 1842.

To the Recorder of Deeds, &c.

On searching the Index of Mortgages for the City and County of Philadelphia, I do not find any unsatisfied Mortgage of the above described premises, given by either of the ten (10) parties above named, within the periods specified.

Witness my hand and seal of office, this Fourth day of November, A. D. 1871.

[SEAL.]

J. B. ALLEN,
Pro Recorder.

Please certify every unsatisfied Mortgage made of the above described premises or any part thereof, by

John Conn, from October 1, 1871, to January 1, 1872.

On searching the Index of Mortgages for the City and County of Philadelphia, I find no unsatisfied Mortgages of the above described premises, given by John Conn, from October 1st, 1871, to January 1st, 1872, except one (1) to Ephraim Clark, et al., dated October 8th, 1871, for ninety-eight thousand four hundred and twenty-two dollars and eighty-two cents ($98,422.82).

JAS. W. ALLEN,
Pro Recorder.

Please certify all unpaid Taxes registered against the premises described at the head of this Brief, in the name of

Ephraim Clark, Junior, Charles E. Lex, Elizabeth Clark, or any other name or names, for the last five years.

On examining the Register of Delinquent Taxes, I find nothing against the above described premises for the years 1866 to 1870, inclusive.

J. NUTTALL,
Reg. Clerk.

I certify that there no Tax Liens filed against the above described premises.

W. H. POULSON,
For Solicitor.

Please certify all liens or claims filed against the above mentioned premises or any part thereof.

Prothonotary District Court.

On searching the Locality Index of the District Court, I find nothing against the premises above described since October 1, 1866.

[SEAL.]
U. S. S. 5 cts.

W. H. SAYLOR,
Pro Prothonotary.
October 17, 1871.

On searching the Locality Index of the Court of Common Pleas, I find nothing against the premises as within described from August 1, 1866.

[SEAL.]

W. G. RUSSELL,
Pro Prothonotary.
October 15, 1871

An examination of my Sheriff's Record as far as collated, fails to discover any sheriff's sale of the premises as within described.

JNO. C. UHLE.
September 30, 1871

I, James Ross Snowden, Prothonotary, do certify, that on examining the Judgment Index of the Supreme Court of Pennsylvania for the Eastern District, for five years prior to the seventeenth day of October, one thousand eight hundred and seventy-one, I find no unsatisfied judgments entered within that period against Ephraim Clark, Jr., or Charles E. Lex, Trustees.

[SEAL.]
U. S. S. 5 cts.

CHARLES B. ROSS,
Pro Prothonotary.

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia, from October 15th, A. D. one thousand eight hundred and sixty-six (1866), to the sixteenth day of October, one thousand eight hundred and seventy-one (1871), I find no unsatisfied judgments entered therein within that period against Ephraim Clark, Jr., or Charles E. Lex (Trustees).

Certified by

[SEAL.] S. COULTER,

U. S. S. 5 cts. *Pro Prothonotary.*

On examination of the Judgment Index of the District Court for the City and County of Philadelphia, from October 15th, A. D. one thousand eight hundred and sixty-six (1866), to the sixteenth day of October, one thousand eight hundred and seventy-one (1871), I find no unsatisfied judgments entered therein within that period against Ephraim Clark, "Junior," or Charles E. Lex, Trustees.

Certified by

D. A. ALLISON,

Pro Prothonotary.

Please certify each and every unsatisfied Mortgage remaining on record made of the 4 Triangular Lots marked in Plan "C," by George W. Norris, Henry Norris, Isaac Norris, since July 1st, 1866.

On searching the Index of Mortgages for the City and County of Philadelphia, I find no unsatisfied Mortgages of the above described premises or any part thereof, given by either of the above named three (3) persons, within the period specified.

Witness my hand and seal of office, this Twenty-

[SEAL.] seventh day of December, A. D. 1872.

JAS. W. ALLEN,

Pro Recorder.

On examining the Register of Unpaid Taxes, I find nothing against the within described premises for the years 1867 to 1871, inclusive.

J. NUTTALL, *Reg. Clerk.*

On searching the Locality Index of the District Court, I find nothing against the premises within described since January 1, 1868.

[SEAL.] WM. H. SAYLOR,

Pro Prothonotary.

January 2, 1873.

On searching the Locality Index of the Court of Common Pleas, I find nothing against the above since November 1, 1867.

[SEAL.] W. G. RUSSELL,
Pro Prothonotary.
January 2, 1873.

On searching the Indices of Claims in the Solicitor's office, I find nothing against the premises within described.

S. M. McINTYRE,
January 3d, 1873. *Per* W. McC.

UNITED STATES,
Eastern District of Pennsylvania. } *ss.*

I, Gilbert R. Fox, certify that there no unsatisfied judgments remaining on record in my office, obtained within the last five years, against Henry Norris, Isaac Norris, George W. Norris.

[SEAL.] JOHN B. BEAVER,
Pro Clerk District Court, U. S.

Philadelphia, this 31st day of December, A. D. 1872.

UNITED STATES,
Eastern District of Pennsylvania. } *sct.*

I, Samuel Bell, Clerk of the Circuit Court of the United States, in and for the Eastern District of Pennsylvania, do hereby certify, that there no unsatisfied judgments remaining on record in my office, obtained within the last five years, against Henry Norris, Isaac Norris, George W. Norris.

[SEAL.] JOHN B. BEAVER,
Pro Clerk.

Philadelphia, this 31st day of December, A. D. 1872.

Court of Quarter Sessions of the Peace for the City and County of Philadelphia.

I certify, that I have examined the records of the aforesaid Court for five years past, and do not find any unsatisfied judgments against Henry Norris, Isaac Norris and George W. Norris.

[SEAL.] R. S. GARRISON,
Pro Clerk.

December 30th, 1872.

I, James Ross Snowden, Prothonotary, do certify, that on examining the Judgment Index of the Supreme Court of Pennsylvania,

for the Eastern District, for five years prior to the thirtieth day of December, one thousand eight hundred and seventy-two, I find no unsatisfied judgment entered within that period against Henry Norris, George W. Norris or Isaac Norris.

[SEAL.]

CHARLES B. ROSS,
Pro Prothonotary.

On examination of the Judgment Index of the Court of Common Pleas for the City and County of Philadelphia, from December 27th, A. D. one thousand eight hundred and sixty-seven (1867), to the twenty-eighth day of December, one thousand eight hundred and seventy-two (1872), I find no unsatisfied judgments entered therein within that period against Henry Norris, George W. Norris, Isaac Norris.

Certified by

[SEAL.]

S. COULTER,
Pro Prothonotary.

On examination of the Judgment Index of the District Court for the City and County of Philadelphia, from December 27th, A. D. one thousand eight hundred and sixty-seven (1867), to the twenty-eighth day of December, one thousand eight hundred and seventy-two (1872), I find no unsatisfied judgments entered therein within that period against Henry Norris, George W. Norris, Isaac Norris.

Certified by

[SEAL.]

D. A. ALLISON,
Pro Prothonotary.

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Brief of Title

TO

TEN LOTS OF GROUND

SITUATE RESPECTIVELY ON

Twenty-second, Twenty-third, Fitzwater and Pemberton Streets;

FORMERLY PART OF THE

"PEPPER ESTATE,"

IN THE

TWENTY-SIXTH WARD,

PHILADELPHIA,

AND NOW BELONGING TO

C. M. S. LESLIE.

PHILADELPHIA:
WILLIAM P. KILDARE, PRINTER, NOS. 734 AND 736 SANSOM STREET.

1870.

BRIEF OF TITLE

TO

Ten Lots of Ground, situate respectively upon Twenty-second Street, Twenty-third Street, Fitzwater Street and Pemberton Street, in the Twenty-sixth Ward of the City of Philadelphia, and severally described as follows:—

Lot A.—ALL THAT CERTAIN Lot or piece of ground, beginning at the south east corner of the said Fitzwater Street and Twenty-second Street; thence extending eastward, along the south side of the said Fitzwater Street, 136 feet and $\frac{5}{8}$ of an inch, to the line of ground granted and conveyed by Benjamin Marshall and Richard M. Marshall, Trustees, to John McCrea, formerly belonging to Joseph Cruckshank; thence extending south westward, along the same, 120 feet 7 inches and $\frac{1}{4}$ of an inch, be the same more or less, to the line of ground granted and conveyed by Elizabeth C. Erwin and others to Charles M. S. Leslie; thence extending north westward, along the said last mentioned line, 90 feet 3 inches and $\frac{5}{8}$ of an inch, be the same more or less, to the east side of the said Twenty-second Street; thence extending northward, along the same, 71 feet 10 inches and $\frac{1}{2}$ of an inch, to the aforesaid corner and place of beginning.

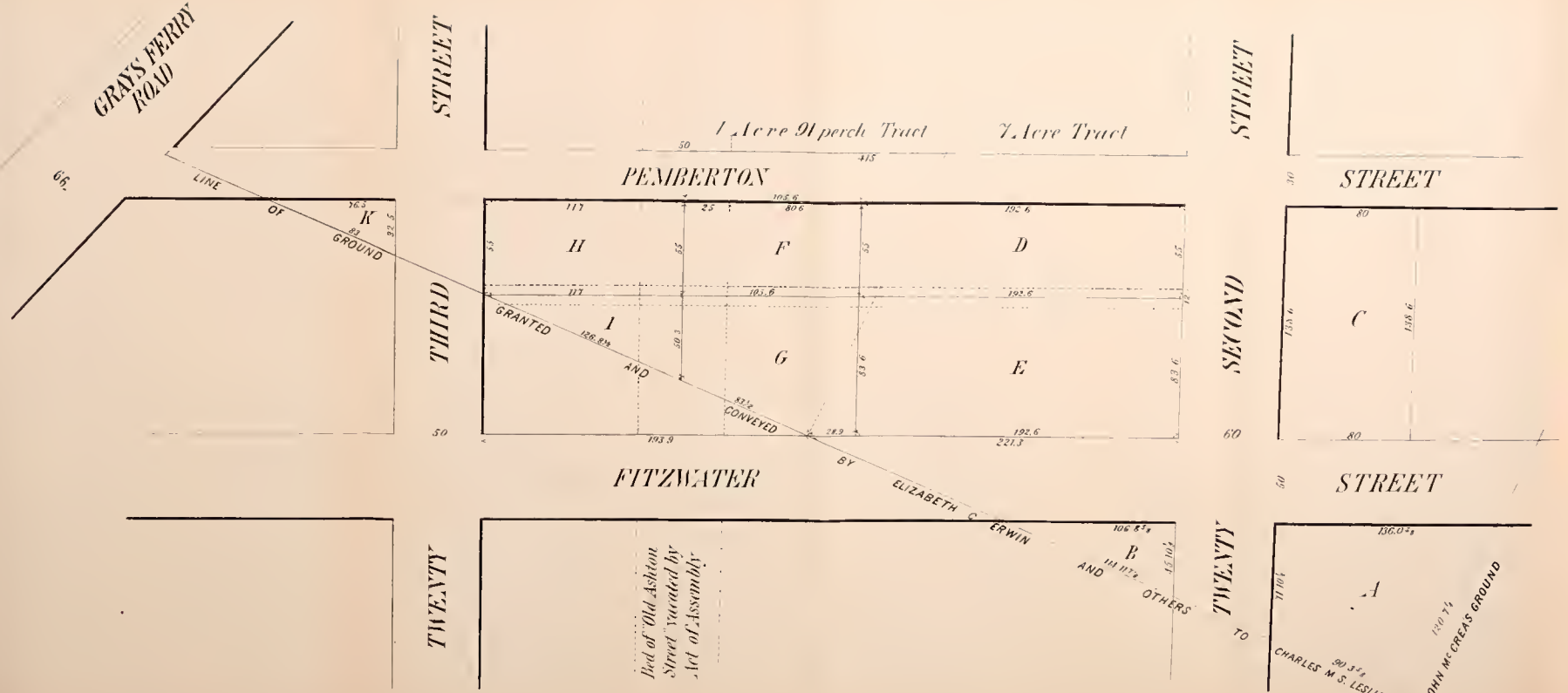
Lot B.—ALL THAT CERTAIN triangular Lot or piece of ground, beginning at the south west corner of the said Fitzwater Street and Twenty-second Street; thence extending westward, along the south side of the said Fitzwater Street, 106 feet 8 inches and $\frac{5}{8}$ of an inch, to the aforesaid line of ground granted and conveyed by Elizabeth C. Erwin and others to Charles M. S. Leslie; thence extending south eastward, along the said line, 114 feet 11 inches and $\frac{7}{8}$ of an inch, be the

same more or less, to the west side of the said Twenty-second Street; and thence extending northward, along the same, 45 feet 10 inches and $\frac{1}{4}$ of an inch, to the aforesaid corner and place of beginning.

Lot C.—ALL THAT CERTAIN Lot or piece of ground, beginning at the north east corner of the said Fitzwater Street and Twenty-second Street; thence extending northward, along the east side of the said Twenty-second Street, 138 feet 6 inches, to the south side of the said Pemberton Street; thence extending eastward, along the same, 80 feet; thence extending southward, by ground of Charles Pepper's trust estate, of which this Lot was part, 138 feet 6 inches, to the north side of the said Fitzwater Street; and thence extending westward, along the same, 80 feet, to the aforesaid corner and place of beginning.

Lot D.—ALL THAT CERTAIN Lot or piece of ground, beginning at the south west corner of the said Twenty-second Street and Pemberton Street; thence extending westward, along the south side of the said Pemberton Street, 192 feet 6 inches, to the line of the Lot of ground, hereinafter described as Lot F; thence extending southward, along the same, on a line at a right angle to the said Pemberton Street, 55 feet, to a point in the middle of a certain twelve feet wide Alley, laid out parallel with said Fitzwater and Pemberton Streets, and extending from the said Twenty-second Street to Twenty-third Street; thence extending eastward, along the same, being the north line of the next described Lot, 192 feet 6 inches, to the west side of the said Twenty-second Street; and thence northward, along the same, 55 feet, to the aforesaid corner and place of beginning.

Lot E.—ALL THAT CERTAIN Lot or piece of ground, beginning at the north west corner of the said Fitzwater Street and Twenty-second Street; thence extending westward, along the north side of the said Fitzwater Street, 192 feet 6 inches, to the line of the Lot of ground hereinafter described as Lot G; thence extending northward, along the same, on a line at a right angle to the said Fitzwater Street, 83 feet 6 inches, to a point in the middle of the aforesaid twelve feet wide Alley; thence extending eastward, along the same, being the south line of the last above described Lot, 192 feet 6 inches, to the west side of the said Twenty-second Street; and thence southward, along the same, 83 feet 6 inches, to the aforesaid corner and place of beginning.


GRAYS FERRY ROAD
STREET
1 Acre 91 perch Tract
7 Acre Tract
STREET
PEMBERTON
STREET
LINE OF GROUND
K
H
F
D
C
THIRD
SECOND
I
G
E
GRANTED AND CONVEYED BY ELIZABETH C. ERWIN AND OTHERS
FITZWATER
STREET
TWENTY
Bed of Old Ashton Street vacated by Act of Assembly
B
A
TWENTY
TO
CHARLES M. S. LESLIE
JOHN McCREAS GROUND

Lot F.—ALL THAT CERTAIN Lot or piece of ground, beginning at a point on the south side of the said Pemberton Street, at the distance of 117 feet eastward from the east side of the said Twenty-third Street; thence extending southward, on a line at a right angle to the said Pemberton Street, along the line of the Lot of ground hereinafter described as Lot H, 55 feet, to the middle of the aforesaid twelve feet wide Alley; thence extending eastward, along the middle of the said twelve feet wide Alley, being the north line of the next described Lot, 105 feet 6 inches, to the line of the Lot of ground above described as Lot D; thence extending northward, along the same, on a line at a right angle to the said Pemberton Street, 55 feet, to the south side of the said Pemberton Street; thence extending westward, along the same, 105 feet 6 inches, to the first named point and place of beginning.

Lot G.—ALL THAT CERTAIN Lot or piece of ground, beginning at a point on the north side of the said Fitzwater Street, at the distance of 193 feet 9 inches eastward from the east side of the said Twenty-third Street; thence extending eastward, along the north side of the said Fitzwater Street, 28 feet 9 inches, to the line of the Lot of ground above described as Lot E; thence extending northward, along the same, on a line at a right angle to the said Fitzwater Street, 83 feet 6 inches, to a point in the middle of the aforesaid twelve feet wide Alley; thence extending westward, along the same, being the south line of the last above described Lot, 105 feet 6 inches, to the line of the Lot of ground hereinafter described as Lot I; thence extending southward, along the same, on a line at a right angle to the said Fitzwater Street, 50 feet 3 inches, be the same more or less, to the aforesaid line of ground granted and conveyed by Elizabeth C. Erwin and others to Charles M. S. Leslie; thence extending south eastward, along the same, 83 feet 1 inch and $\frac{1}{2}$ of an inch, be the same more or less, to the first named point and place of beginning.

Lot H.—ALL THAT CERTAIN Lot or piece of ground, beginning at the south east corner of the said Pemberton Street and Twenty-third Street; thence extending southward, along the east side of the said Twenty-third Street, 55 feet, to a point in the middle of the aforesaid twelve feet wide Alley, said point being also in the aforesaid line of ground granted and conveyed by Elizabeth C. Erwin and others to Charles M. S. Leslie; thence extending eastward, along the middle of the said twelve

feet wide Alley, being the north line of the next described Lot, 117 feet, to the line of the Lot of ground above described as Lot F; thence extending northward, along the same, on a line at a right angle to the said Pemberton Street, 55 feet, to the south side of the said Pemberton Street, and thence westward, along the same, 117 feet, to the aforesaid corner and place of beginning.

Lot I.—ALL THAT CERTAIN triangular Lot or piece of ground, beginning at a point on the east side of the said Twenty-third Street, at the distance of 55 feet southward from the south side of the said Pemberton Street, said point being in the middle of the aforesaid twelve feet wide Alley; thence extending eastward, along the middle of the said Alley, being the south line of the last above described Lot, 117 feet, to the line of the Lot of ground above described as Lot G; thence extending southward, along the same, on a line at a right angle to the said Pemberton Street, 50 feet 3 inches, be the same more or less, to the aforesaid line of ground granted and conveyed by Elizabeth C. Erwin and others to Charles M. S. Leslie; thence extending northwestward, along the same, 126 feet 8 inches and $\frac{1}{2}$ of an inch, be the same more or less, to the first named point and place of beginning.

Lot K.—ALL THAT CERTAIN triangular Lot or piece of ground, beginning at the south west corner of the said Pemberton Street and Twenty-third Street; thence extending westward, along the south side of the said Pemberton Street, 76 feet 5 inches, to the aforesaid line of ground granted and conveyed by Elizabeth C. Erwin and others to Charles M. S. Leslie; thence extending south eastward, along the same, 83 feet, be the same more or less, to the west side of the said Twenty-third Street; and thence extending northward, along the same, 32 feet 5 inches to the aforesaid corner and place of beginning.

Letters Patent.—William Penn, Proprietary and Governor of Pennsylvania, to PETER RAMBO, SENIOR, and PETER DALBOE, in fee for a Tract of land in the County of Philadelphia, beginning at a corner marked Spanish oak standing by the River Schuylkill, being the corner tree of the land of Peter Dalboe; from thence south east, by the said Dalboe's house and marked trees, 244 perches, to a corner marked white oak; from thence north east, by a line of marked trees, 214 perches, to a corner marked oak sapling; from thence north west, by a line of marked trees, 5 perches, to a corner marked post; from thence north 72° west, by a line of marked trees, 238 perches, to a corner marked beech tree standing by the said River; from thence down the said River, on several courses, to the first mentioned Spanish oak. Containing 233 acres of land. Granted by a Warrant from William Penn, bearing date the 29th of third month 1684, and re-surveyed by the Surveyor General's order, the 6th of fourth month 1684.

1684, 5th mo., 30th. Ex. Record.

RESERVING the yearly quit rent of one bushel of wheat for every 100 acres thereof.

Recorded 1st of third month (May) 1685, in Patent Book A Vol. 1 page 72 etc.

Vide Exemplification Record at Philadelphia No. 1 page 60 etc.

THE said Peter Rambo, Senior, and Peter Dalboe, by mutual consent, made partition between themselves of the said Tract of land, and the north half thereof, containing 116½ acres, was allotted to the said PETER RAMBO, SENIOR.

1684, 9th mo., 19th.

Recited in next Deed.

Deed.—Peter Rambo, Senior, to WILLIAM SALWAY, in fee for his, the said Peter Rambo's, northerly half part of the above mentioned Tract, described as follows:—beginning at a corner marked birch tree standing by the Schuylkill, dividing this land from the City of Philadelphia; from thence south 72°

1688, 7th mo., 1st. Ex. Record.

east, by said City, 238 perches, to a corner post; from thence south east, by a line of trees, 10 perches, to a corner marked sapling oak; from thence south west, by a line of marked trees, 107 perches, to a corner marked tree dividing this land from Peter Dalboe's land; from thence north 59° west, by said Dalboe's land, 248 perches, to a corner marked tree standing by the said Schuylkill; from thence, by several courses thereof, to the place of beginning. Containing 116½ acres.

Acknowledged at the County Court of Philadelphia, 4th of seventh month 1688.

Recorded 20th of eighth month 1688, in Deed Book E No. 2 page 46 etc.

1684, 9th mo., 19th. Ex. Record.

Deed Poll.—Peter Dalboe to GEORGE FOREMAN, in fee for *a certain* Tract of land, lying and being on the east side of the Schuylkill River, [forming the north west corner of his the said Peter Dalboe's moiety or southerly half part of the said patented Tract, and hence adjoining to the south of Peter Rambo's moiety thereof, conveyed to William Salway by the last mentioned Deed;] beginning at a corner marked hickory tree standing by the Schuylkill River, being the corner tree of the lands belonging to Peter Rambo, Senior; from thence south 59½° east, 198 perches, by the said Rambo's land, to a corner marked Spanish oak; from thence south 59½° west, 8 perches, to a corner marked post, being the corner post of the land belonging to the said Peter Dalboe; from thence north 59½° west, by the said Dalboe's land, 202 perches, to a corner marked black oak standing by the above named Schuylkill River; from thence, up the several courses of the said River, to the first mentioned hickory tree. Containing 10 acres of land.

Acknowledged in open Court, September 1st 1686

Recorded 3d of seventh month 1686, in Deed Book E Vol. 5 page 412 etc.

Deed.—George Foreman to WILLIAM SALWAY, in fee for aid 10 acres of land. 1689, April 22d. Ex. Record.

Acknowledged in open Court, 4th of fourth month 1689.

Recorded July 9th 1739, in Deed Book G No. 2 page 69 etc.

Deed.—Joseph Growden, John Parsons and Patrick Robnson, surviving Administrators of the said William Salway, deeased, and Guardians to his son, two daughters and niece, to OHN CRAPP, in fee for said ten acres of ground, to carry into xecution a sale thereof made by the said William Salway in is life time to the said John Crapp. 1698, June 1st. Recited.

Recited in next mentioned Deed.

Deed.—John Crapp to ADAM BURCH, in fee for the said 0 acres. 1698, June 6th. Ex. Record.

Acknowledged 10th of fourth month 1698.

Recorded July 10th 1739 in Deed Book G No. 2 page 71 etc.

Deed Poll, endorsed—Adam Burch to WILLIAM CARTER, n fee for said 10 acres. 1701, 8th mo. (October) 23d. Ex. Record.

Not acknowledged.

Recorded July 10th 1739, in Deed Book G No. 2 page 73 etc.

Deed.—Peter Dalboe to REICE PREIS, in fee for (inter alia) $6\frac{1}{2}$ acres of land, to be laid out upon the back of George Foreman's land, and so running backwards into the woods as far as he said Peter Dalboe's line, and of so much breadth as will make up said $6\frac{1}{2}$ acres; thus forming the north east corner of is, the said Peter Dalboe's moiety or southerly half part of the 1688, June 6th. Ex. Record.

first mentioned patented Tract; and hence also adjoining to the south of the above described Tract of 116½ acres, and to the east of the above described Tract of 10 acres of land.

Acknowledged in County Court, 15th of fourth month 1688.

Recorded 19th of fourth month 1688, in Deed Book E No. 2 page 21 etc.

1691, October 3d. Ex. Record.

Deed.—Reice Preis to JOHN CRAPP, in fee for said 6½ acres.

Acknowledged in open Court, 7th of fourth month 1692.

Recorded July 10th 1739, in Deed Book G No. 2 page 70 etc.

1698, June 6th. Ex. Record.

Deed Poll.—John Crapp to ADAM BURCH, in fee for said 6½ acres.

Acknowledged in open Court, 10th of fourth month 1698.

Recorded July 10th 1739, in Deed Book G No. 2 page 73 etc.

1701, October 23d. Ex. Record.

Deed Poll.—Adam Burch to WILLIAM CARTER, in fee for said 6½ acres.

Not acknowledged.

Recorded July 10th 1739, in Deed Book G No. 2 page 74 etc.

1710, August 26th.

Deed Poll.—Peter Evans, Sheriff of Philadelphia County to JOSEPH GROWDEN, in fee for the above described Tract of 116½ acres of land, being the north half of the first described patented Tract of 233 acres.

Recited in the following Deed of April 17th 1716 but said Deed does not state the name of the debtor whose property was thus sold.

Deed.—William Carter and Katherine his wife to JOSEPH GROWDEN, in fee for the said two other Tracts of 10 acres and 6½ acres of land. 1711, April 9th. Ex. Record.

Acknowledged April 9th 1711.

Recorded July 11th 1739, in Deed Book G Vol. 2 page 75 etc.

Deed.—Joseph Growden and Ann his wife to ANTHONY MORRIS and PENTECOST TEAGUE, in fee for the same three contiguous pieces or tracts of land above described. Containing in the whole 133 acres of land. 1716, April 17th. Ex. Record.

Consideration £141-16s.-4½d.

The execution of this Deed by Joseph Growden and wife, proved on July 5th 1716.

Recorded July 5th 1716, in Deed Book E 7 Vol. 9 page 427 etc.

Deed.—Anthony Morris, Senior, and Elizabeth his wife and Pentecost Teague and Elizabeth his wife to JONATHAN DICKINSON, in fee for the same three Tracts of land. 1716-7, February 26th. Ex. Record.

SUBJECT to the equity of redemption of the said Joseph Growden therein.

[This Deed recites that the above Deed from Joseph Growden and wife was in fact a Mortgage to secure payment of the sum £141-16s.-4 pence half penny.]

Acknowledged February 26th 1716.

Recorded February 26th 1716, in Deed Book E 7 Vol. 10 page 253 etc.

Deed of Release.—Joseph Growden to JONATHAN DICKINSON, in fee for the same three Tracts of land and premises, containing 133 acres of land, and all his estate, right, title and interest of in and to the same. 1717, March 3d. Ex. Record.

Signatures proved March 30th 1717, by two of the subscribing witnesses.

Recorded March 30th 1717, in Deed Book E 7 Vol. 10 page 273 etc.

1729, March 4th. Ex. Record.

Deed Poll.—Charles Read, Sheriff, to THOMAS MASTERS, in fee for the same three Tracts of land, containing in the whole 133 acres. Seized and sold as the estate of Jonathan Dickinson deceased, upon a judgment obtained against his executors Isaac Norris, James Logan and George Claypoole.

Consideration £360.

Acknowledged in open Court of Common Pleas, March 6th 1729.

Recorded July 12th 1739, in Deed Book G Vol. 2 page 78 etc.

1735, February 17th. Ex. Record.

Patent.—John Penn, Thomas Penn and Richard Penn, Proprietaries, granting and confirming unto THOMAS MASTERS and his heirs, a Tract of land described as follows:—beginning at a corner in the southern line of the said City, on the west side of a Road leading to the western part of Passyunk Township; thence, by the said City line, north 75° west, 250 perches, to a white oak by said River Schuylkill; thence down by the same, on several courses, 88 perches, to a white oak at a corner of Charles Sober's land; thence, by the same, south 61° and a half east, 255 perches, to a corner on the west side of the Road aforesaid, near to a marked hickory tree standing on the said Road thence, by the said Road, north 43° east, 136 perches, to the place of beginning. Containing in the whole 150¾ acres.

YIELDING AND PAYING therefor yearly to them the said Proprietaries, their heirs and successors, at the City of Philadelphia, upon the first day of March in every year, 1½ bushels of good merchantable winter wheat for the whole. [*Recites* that William Penn, by Patent dated 5th month (July) 30th 1684 granted a certain Tract of 233 acres of land, lying on the east side of the River Schuylkill, and on the south side of that part of the City of Philadelphia which lies next the said River, to Peter Rambo and Peter Dalboe, under the yearly rent of one bushel of wheat for each 100 acres; that the north part of said Tract (being part of the Tract last above described) had since

become legally vested in the said Thomas Masters, at whose request a Warrant to re-survey the same and to include a narrow strip lying between the north line thereof and the south line of the City of Philadelphia, was issued, in conformity to which survey the above Patent was granted.]

Recorded March 11th 1736, in Patent Book A Vol. 8 page 160 etc.

Vide Exemplification Record at Philadelphia, No. 2 page 496 etc.

Recited.

And Whereas the aforesaid lands were bought and paid for by the said Thomas Masters and George Claypoole, with one Israel Pemberton and George Fitzwater, and divided by them in the life time of them, the said George Claypoole and Thomas Masters, in certain parts and proportions, according to each one's proportional part of the consideration moneys in the said Sheriff's Deed and Proprietary Patent mentioned, with the incident charges, notwithstanding that the title and conveyance by the same Deed and Patent were taken in the name of the said Thomas Masters; and he the said George Claypoole, died intestate of the premises, and all his children, sons and daughters, also died without issue, intestate, the said Abraham Claypoole only excepted; and the said Thomas Masters being also dead, the said William Masters is desirous to do right and justice unto the said Abraham Claypoole, he being the only representative of his said father, George Claypoole, in his right, title, part and dividend of the premises.

Recited in the following Deed from William Masters to Abraham Claypoole.

1740, December 10th. Ex. Record.

Will of Thomas Masters, wherein and whereby he did will in the words following, to wit:—"In the first place, I give, devise and bequeath unto my loving brother William Masters, "and to his heirs and assigns forever, all my estate, real and "personal, of what nature or kind soever, excepting thereout

"such parts thereof as are hereinafter particularly otherwise
"given, devised and bequeathed. To have and to hold my said
"estate unto my said brother, (except as herein is excepted,) and
"to his heirs and assigns forever, he my said brother paying
"thereout all such debts as shall be due from me to any person
"or persons whatsoever, and paying thereout all such legacies
"as are hereafter given and bequeathed."

Of the other devises in the said Will, the only one in any way touching the said Tract of 150¾ acres, so as aforesaid patented to the said Thomas Masters, is the following which refers to that part of the Tract lying between the Grays Ferry Road and the River Schuylkill.

"I give and devise unto my two friends JOSEPH FOX and JOHN
"KINSEY, all that my piece of land, situate in Philadelphia afore-
"said, containing about 40 acres, be the same more or less, it
"being part of a Tract of land late part of the estate of Jona-
"than Dickinson deceased, called 'Durkett's fields,' purchased by
"me in company with Israel Pemberton, George Fitzwater and
"George Claypoole, together with land adjoining, purchased of
"the Proprietors. To hold the same land unto them the said
"Joseph Fox and John Kinsey, their heirs and assigns forever
"to be equally divided between them."

Proved by the three subscribing witnesses January 3d 1740; and remaining on file in the Register of Wills' Office at Philadelphia No. 18 of 1740; and recorded therein in Will Book F page 199 etc.

1744, July 7th. Ex. Record.

Deed.—William Masters, only brother, heir at law and residuary devisee of Thomas Masters deceased, to ABRAHAM CLAYPOOLE, only surviving issue and heir at law of George Claypoole deceased; whereby, after reciting as above set forth, the said William Masters, as well for and in consideration of the part of the purchase moneys aforesaid which the said George Claypoole or his Executors advanced and paid as hereinbefore recited,

of the sum of 5 shillings to him in hand paid by the said Abraham Claypoole, did grant, release and confirm unto him the said Abraham Claypoole, his heirs and assigns, *all that* part of the aforesaid lands which did appertain unto the said George Claypoole in his life time upon the aforesaid partition, that is to say:—beginning at a marked white oak by the side of the Ferry Road, opposite to the corner of the said Thomas Masters' proper part of the aforesaid land, by him devised in his last Will and Testament unto Joseph Fox and John Kinsey; thence extending by the same Ferry Road, south 57° west, 110 perches, to a stake in the line of Sober's land; thence by the same, south 61½° east, 72 perches, to another corner stake; thence by the land of Israel Pemberton, north 41° east, 108 perches, to another corner stake; thence north 75° west, by a certain street of the said City, 43 perches, to the place of beginning. Containing by computation 33 acres, 136 perches.

Acknowledged July 7th 1744.
Recorded July 9th 1744, in Deed Book G Vol. 5 page 198 etc.

Will of Abraham Claypoole, wherein and whereby, after making certain specific legacies and bequests therein mentioned, not affecting however the Tract of land last above mentioned and described, he did appoint and direct in the words following, to wit:—"And I do hereby nominate and appoint my said dear "mother DEBORAH CLAYPOOLE, and my trusty friends WILLIAM "COLEMAN and JOHN SWIFT, both of the said City of Philadel- "phia, merchants, to be the Executors of this my last Will and "Testament. And as for and concerning all the rest and resi- "due of my estate, both real and personal, whatsoever and "wheresoever, I do will and desire that the same may be sold, "and I do hereby give full power and authority unto my said "executors to grant, bargain and sell the same, for the best

1750, July 4th. Ex. Record.

"price that can be gotten, to any person or persons whatsoever, "his, her or their heirs and assigns forever."

Proved by the three subscribing witnesses, March 9th and 15th 1750; and remaining on file in the Register of Wills' Office at Philadelphia, No. 238 of 1750; and recorded therein in Will Book I page 370.

1753, April 11th. Ex. Record.

Deed.—Deborah Claypoole, widow, and William Coleman and John Swift, executors of Abraham Claypoole deceased, to ABRAHAM FALCONER, in fee for *a certain* piece or parcel of land, situate, lying and being contiguous to the southern bounds of the City of Philadelphia; beginning at a post standing by the South Street, called Cedar Street, in the same City, at a corner of Israel Pemberton's land; thence by the said Street, north 76° west, $42\frac{8}{10}$ perches to a post; thence by the Lower Ferry Road, south $56\frac{1}{2}°$ west, 37 perches, to a post at a corner of William Gray Junior's, land; thence by the said Gray's land, south 53° east $48\frac{8}{10}$ perches, to a post; and thence by the said Israel Pemberton's, land, north 40° east, $52\frac{1}{10}$ perches, to the place of beginning. Containing 11 acres and 91 perches. [*Being* part of the above described Tract of 33 acres and 136 perches.]

Acknowledged April 18th 1753.

Recorded April 26th 1754, in Deed Book H No 4 page 308 etc.

1754, May 4th. Ex. Record.

Deed.—Abraham Falconer to DEBORAH CLAYPOOLE, widow, in fee for *a certain* piece of land, situate contiguous to the southern bounds of the City of Philadelphia; beginning at a post on the south side of Cedar Street, being the South Street of the said City; thence by the said Street, north 76° west, 25 perches; thence by other land of the said Abraham Falconer south 40° west, $43\frac{3}{10}$ perches, to post; thence by William Gray Junior's, land, south 53° east, $23\frac{1}{2}$ perches, to a post; thence by Israel Pemberton's land, north 40° east, $52\frac{1}{10}$ perches, to the

place of beginning. Containing 7 acres. [*Being* part of the above described Tract of 11 acres and 91 perches.]

Acknowledged May 8th 1754.

Recorded May 10th 1754, in Deed Book G No. 12 page 758 etc.

Deed.—Deborah Claypoole to JOHN CORREY, in fee for the said piece of land of 7 acres last above described. 1757, April 15th. Ex. Record.

Acknowledged April 21st, 1757.

Recorded August 25th 1758, in Deed Book H No. 9 page 171 etc.

Letters of Administration on the estate of Abraham Falconer deceased, were this day granted to JOSEPH GALLOWAY. 1756, February 3d. Ex. Record.

Vide Administration Book G page 42 etc.

Deed Poll.—James Coultas, Sheriff, to JOHN CORREY, in ee for *all that certain* lot or piece of land, situate, lying and eing contiguous to the southern boundary of the City of Philalelphia; beginning at a post on the south side of Cedar Street; hence by the said Street, north 76° west, $17\frac{3}{10}$ perches, to the Lower Ferry Road; thence by the said Road, south $56\frac{1}{2}°$ west, 7 perches, to land late of William Gray, Junior, deceased; hence by said land, south 53° east, $25\frac{3}{10}$ perches, to land now r late of Deborah Claypoole; thence by the same land, north 0° east, $43\frac{3}{10}$ perches, to the place of beginning. Containing acres and 91 perches. [*Being* part of the above described ract of 11 acres and 91 perches. Recited as being late the state of Abraham Falconer deceased; seized and taken in execution at the suit of John Biddle, and sold to the said John orrey.] 1756, June 4th. Ex. Record.

Acknowledged June 9th 1756, in an open Court of Common Pleas for the City and County of Philadelphia, and entered among the records thereof, in Sheriff's Deed Book A No. 1 page 177 etc.

And the said John Correy, being so thereof seized of the two Lots of land, [one thereof of 4 acres and 91 perches, and the other thereof of 7 acres,] died intestate, leaving issue Samuel Correy, Robert Correy, Susanna Read, Mary Correy, Leatitia Correy, and Ann Correy, to whom the said premises devolved. Jane Correy, widow, relict of the said John Correy deceased, having therein her estate or right of dower.

Recited in the Deed next hereinafter abstracted.

1772, February 12th. Ex. Record. **Letters of Administration** on the estate of John Correy deceased, were this day granted to Jane Correy, George Correy, Robert Correy and James Read.

Vide administration Book H page 99 etc.

1779, January 16th. Ex. Record. **Deed.**—Jane Correy, widow, Samuel Correy, Robert Correy, James Read and Susanna his wife, Mary Correy, Leatitia Correy and Ann Correy to John David Seckel, in fee for the said two contiguous Lots of land, one 4 acres and 91 perches, and the other of 7 acres.

Acknowledged February 15th 1779.

Recorded June 11th 1782, in Deed Book No. 4 page 387 etc.

1809, March 3d. Ex. Record. **Deed.**—John David Seckel and Mary his wife to George Pepper, in fee for the same two contiguous Lots of land last above mentioned.

Acknowledged March 6th 1809.

Recorded March 9th 1809, in Deed Book I C No. 1 page 147 etc.

The said George Pepper died on or about the Sixth day o January 1846, seized and possessed of the said two contiguou Lots of land.

Will of George Pepper, wherein and whereby, after making certain bequests of personal estate, and certain specific devises of improved real estate unto his wife MARY and his sons HENRY and WILLIAM, [the bequests and devises to his wife being in lieu and bar of dower,] he did (inter alia) will in the words following, to wit:—"All the rest, residue and remainder "of my estate, real and personal, except my Fairy Hill estate "hereafter disposed of, I order and direct to be distinctly and "separately valued item by item, and divided in the manner "hereafter mentioned, into as many parts as I shall leave chil- "dren and issue of any deceased child or children living at my "death, the issue of any deceased child or children to repre- "sent their parent or respective parents, and each of the said "issues to be considered in the division as one part only—that "is to say:—five suitable persons to make the said valuation "and division shall be appointed, as soon as conveniently may "be after my death, by my surviving children or a majority of "them, under their hands and seals, and if they cannot agree, 'then by my executors or a majority of them, under their hands 'and seals:—The said five persons being thus appointed shall 'then proceed to value my residue as aforesaid, and to divide 'the same into the requisite number of equal parts as aforesaid, 'allotting to each share an equal portion of real and personal 'estate, of property improved and productive, and property 'unimproved and unproductive, as they conveniently can. The 'shares so divided shall be drawn for in the manner the persons 'making the division shall direct, so as to designate a particu- 'lar share or part of my said estate for each child, and for the 'issue of any deceased child to whom the same shall fall upon 'the said drawing. And my will is that in all the acts of the 'said valuers, in making the said valuation and division, a major 'part of them respectively shall have the entire power of the 'whole number, in case of difference. And I do authorize them 'and a majority of them to lay out and establish any way, alley 'or street that they may deem necessary to make the said di- 'vision equal." "And I desire the said valuers to execute a plan

1846, January 5th. Ex. Record.

"and statement of the said valuation and allotment, under their
"hands and seals, or the hands and seals of a majority of them,
"and to have the same acknowledged or proved and recorded in
"the proper office; and I give devise and bequeath to all my
"said surviving children, and to the issue of any of my deceased
"children, such issue to stand respectively in the place of their
"parent, and to take together only the share their respective
"parent if living would have taken, one equal share or part of
"all my said residuary estate, real and personal, allotted and
"drawn for as aforesaid; all my said children and the issue of
"any deceased child or children, except the three sons and two
"daughters hereafter mentioned, to have and to hold their re-
"spective shares to them respectively, and their respective heirs
"and assigns forever; and I do authorize, empower and direct
"my executors or a majority of them, to convey the said re-
"spective shares of real and personal estate so drawn for and
"allotted as aforesaid to the said respective children, and issue
"of deceased children their respective heirs and assigns forever.
"And as far as regards the shares which may upon such draw-
"ing fall to my three sons Edward, Charles and Lawrence, and
"and my two daughters Mary Norris and Catharine Thomson
"respectively, I do give and devise the same to my executors
"and the survivors and survivor of them and the heirs of the
"survivor, In Trust, as to the said respective shares, to the use
"of my said three sons and two daughters respectively, to whom
"the same shall respectively fall upon the said drawing, for and
"during their respective natural lives; and from and after their
"respective deaths, then to the use of such of their respective
"children and issue, and in such shares, and for such estates, as
"they shall respectively by last Will appoint; and in default of
"such respective appointment, then to the use of all the chil-
"dren of the son or sons, daughter or daughters respectively
"so failing to appoint, that may be living at their respective
"deaths, and the issue of any deceased child or children, their
"heirs, executors and administrators, as tenants in common in
"equal shares; the issue of any deceased child to stand in the

"place of their parent, and to take only the share their parent "would have taken if living; and in default of such issue, then "as to one equal fourth part of the share appertaining to the "son or daughter respectively whose issue shall fail at his or her "death, to the use of such person or persons and for such es- "tates and in such portions as the said respective son or daugh- "ter shall in any way appoint; and as to the remaining three "fourth parts, and also as to the said one fourth part so far as "the same shall not have been appointed otherwise by the said "son or daughter, to the use of my then surviving children, and "the issue of any of my children then deceased, in the shares "and proportions, and for the estates which they would have "taken under the intestate laws of Pennsylvania if the said re- "spective son or daughter had died seized in fee simple of such "estate, without any wife or husband surviving him or her. "And, as to the share which may fall to my said two daughters "respectively, my will is that their respective estates and in- "terests in the shares allotted to them shall be held by my ex- "ecutors as aforesaid In Trust for the sole and separate use of "my said daughters respectively, so as not to be liable for the "debts nor be under the control of any husband, present or "future, of either of them."

"And I do hereby give and grant unto my said executors, and to a majority of them, and also the survivors and survivor of them, and to the heirs of the survivor, and also to any trustee or trustees who may be appointed to succeed them in the trust, full power and authority, by and with the consent in writing under the hand and seal of either of my children to whom I have devised a life estate in their share, whether of my residuary estate or of my Fairy Hill estate, or of the guardian of the estate of any minors, the issue of deceased children, who shall be living at my death, or with the consent of the guardian of the persons of any minor children the issue of either of my said three sons or two daughters to whose issue I have limited an estate in fee after the death of their respective parents, to sell and convey any vacant or unim-

"proved lots or property contained in his, or her, or their re-
"spective allotment or share, either for cash, or upon a per-
"petual ground rent at such rate as they shall think expedient
"to be held and to be payable upon the same trusts and for the
"same uses as the said vacant and unimproved property was be-
"fore held; and if they think fit, to covenant in such convey-
"ance or conveyances that the said rent shall be redeemable at
"a certain time by the purchaser, his heirs or assigns, and on
"the payment of a certain sum of money; and on extinguish-
"ment of the said rent by such payment, to execute such deeds as
"may be necessary to release the said property from the same;
"and the purchase money of any unimproved property so sold
"and conveyed for cash, and money so paid in extinguishment
"of any ground rent, to be invested in good real securities, or
"in other securities authorized by law, and be held upon the
"same trust and for the same uses and under the same powers
"as the said vacant and unimproved lots and property or the
"said ground rent was previously held. And also, with the
"like consent, to invest any portion of the personal property
"appertaining to such shares, in building on unimproved real
"estate, or in repairing or rebuilding houses and buildings that
"may be decayed, or in their opinion will be made more profit-
"able by such expenditures: in all which cases of conveyance
"for cash or on ground rent, they shall be so made, as to exon-
"erate the purchaser from all liability for the application of the
"purchase money."

And he did appoint his wife MARY, his sons HENRY PEPPER, GEORGE S. PEPPER and WILLIAM PEPPER, his son-in-law ISAAC NORRIS, and MICHAEL BAKER, to be his executors.

Proved January 12th 1846, by the three subscribing witnesses; and remaining on file in the Register of Wills' office at Philadelphia, No. 14 1846; and recorded therein in Will Book N 18 page 198 etc.

Letters Testamentary on the above Will were this day granted to MARY PEPPER, HENRY PEPPER, GEORGE S. PEPPER, WILLIAM PEPPER, ISAAC NORRIS and MICHAEL BAKER. 1846, January 13th. Ex. Record.

Vide record of above Will.

THE said George Pepper left him surviving nine children, to wit:—HENRY PEPPER, MARY P. NORRIS, GEORGE S. PEPPER, WILLIAM PEPPER, CATHARINE THOMSON, FREDERICK S. PEPPER, EDWARD PEPPER, CHARLES PEPPER and LAWRENCE S. PEPPER, and two grand-children, the issue of his deceased son David, to wit:—WILLIAM PLATT PEPPER and DAVID PEPPER.

Recited in the Deed Poll of Partition hereinafter abstracted.

Deed Poll, under the hands and seals of Henry Pepper, George S. Pepper, William Pepper, Frederick S. Pepper, Edward Pepper, Charles Pepper, Mary P. Norris and Catharine Thomson, [they being all the children of George Pepper surviving at his death, except Lawrence S. Pepper, who was then absent beyond sea,] whereby they did appoint COLEMAN FISHER, GEORGE N. BAKER, JOHN M. OGDEN, D. HENRY FLICKWIR and ANDREW D. CASH, being five suitable persons, to make valuations and division agreeably to his Will. 1846, March 25th. Ex. Record.

Proved March 25th 1846.

Recorded January 30th 1847, in Deed Book A W M No. 29 page etc.

AND WHEREAS the said Coleman Fisher, George N. Baker, John M. Ogden, D. Henry Flickwir and Andrew D. Cash, after having distinctly and separately valued, item by item, all the residuary estate, real and personal, of the said Testator, except his Fairy Hill estate, divided the same into ten parts or shares as nearly as might be in value, allotting to each share an equal portion of the real and personal estate, of property improved and productive and property unimproved and unproductive, as

they conveniently could. And the respective parts and shares of the several persons interested therein were determined and ascertained by drawing lots in a manner directed by said valuers.

Recited in the Deed Poll of Partition next hereinafter abstracted.

1847, January 13th. Ex. Record.

Deed Poll of Partition, under the hands and seals of Coleman Fisher, George N. Baker, John M. Ogden, D. Henry Flickwir and Andrew D. Cash, whereby, in order to carry the said valuation, equalization and division into complete effect, and to render the same firm and effectual in the law, they did allot to the several parties entitled thereto, their respective parts, shares and allotments of the said residuary estate, real and personal, there being allotted thereby unto CATHARINE THOMSON, inter alia, *all that certain* Lot or piece of ground, marked in Plan H thereto annexed No. 30, situate in Passyunk Township in the County of Philadelphia; beginning at the south east corner of Fitzwater Street and Schuylkill Front Street; thence extending eastward, along the south side of the said Fitzwater Street, 136 feet and $\frac{5}{8}$ of an inch, to a point in the line of land of Joseph Cruckshank; thence south westwardly, along the same land, 120 feet 7 inches and $\frac{1}{4}$ of an inch, to a point; thence by land of——Erwin, north westwardly, 90 feet 3 inches and $\frac{5}{8}$ of an inch, to the east line of the said Schuylkill Front Street; and thence northwardly, along the east line of the said Schuylkill Front Street, 71 feet 10 inches and $\frac{1}{2}$, to the place of beginning. [*Being* part and parcel of the 7 acre Tract described in the foregoing part of this Brief.]

And unto CHARLES PEPPER, inter alia, *all that certain* Lot or piece of ground marked in said Plan H No. 27, situate on the east side of Ashton Street, and on the south side of a new Street 30 feet wide, laid out by the said valuers in pursuance of the authority for that purpose in them vested as aforesaid, through the large Lot of ground of which this is a part, in Passyunk Township aforesaid; beginning at the south east corner of the

said Ashton Street and 30 feet wide Street; thence extending southward, along the east side of the said Ashton Street, 115 feet 11 inches and $\frac{3}{8}$ of an inch, to a point in the line of land of —— Erwin; thence south eastwardly, along the same land, 56 feet 3 inches and $\frac{3}{4}$ of an inch, to the north line of Fitzwater Street; thence eastward, along the north line of the said Fitzwater Street, 28 feet 9 inches; thence northward, by a lot of ground marked in the said Plan H No. 28, thereinafter allotted to Lawrence S. Pepper as herinafter shown, 138 feet 6 inches, to the south line of the said 30 feet wide street; and thence westward, along the south line of the said 30 feet wide Street, 30 feet 6 inches, to the place of beginning. [*Being* composed of portions of the two Tracts, one of 7 acres, and the other of 4 acres and 91 perches, described in the foregoing part of this Brief.] *Also All that certain* Lot or piece of ground marked in the said Plan H No. 29, situate on the east side of the said Schuylkill Front Street, north side of the said Fitzwater Street, and on the south side of the said 30 feet wide street, in Passyunk Township aforesaid. Containing in front or breadth on the said Schuylkill Front Street, 138 feet 6 inches, and extending in length eastward, along the north side of the said Fitzwater Street, 160 feet 7 inches and $\frac{1}{4}$ of an inch, and on the south side of the said 30 feet wide street, 228 feet 7 inches and of an inch. Bounded northward by the said 30 feet wide street, eastward by ground late of Joseph Cruckshank, southward by the said Fitzwater Street, and westward by Schuylkill Front Street aforesaid. [*Being* part and parcel of the said acre Tract.] *And also All that certain* triangular Lot or piece of ground marked in the said plan H No. 31, situate in Passyunk Township aforesaid; beginning at the south west corner of the said Fitzwater Street and the said Schuylkill Front Street; thence extending westward, along the south side of the said Fitzwater Street, 106 feet 8 inches and $\frac{5}{8}$ of an inch, to a point in a line of land late of —— Erwin; thence by the same land, south eastwardly, 114 feet 11 inches and $\frac{7}{8}$ of an inch, to the west line of the said Schuylkill Front Street; and thence northward, along the west side of the said Schuyl-

kill Front Street, 45 feet 10 inches and $\frac{1}{4}$ of an inch, to the aforesaid corner and place of beginning. [*Being* part and parcel of the said 7 acre Tract.]

And unto *Lawrence S. Pepper*, inter alia, *All that certain* Lot or piece of ground marked in the said plan H No. 26, situate in Passyunk Township aforesaid; beginning in the west line of the said Ashton Street, at the distance of 44 feet 2 inches and $\frac{3}{4}$ of an inch northward from the north side of the said Fitzwater Street; thence extending northward, along the west side of the said Ashton Street, 94 feet 3 inches and $\frac{1}{8}$ of an inch, to the south line of the said 30 feet wide street; thence westward, along the south line of the said 30 feet wide street, 217 feet 3 inches and $\frac{7}{8}$ of an inch, to a point in the line of land of —— Erwin, and thence south eastwardly, along the same land, 236 feet 4 inches and $\frac{5}{8}$ of an inch, to the place of beginning. [*Being* part and parcel of the said 4 acre and 91 perch Tract.] *And also All that certain* Lot or piece of ground marked in said Plan H No. 28, situate on the west side of the said Schuylkill Front Street, and north side of the said Fitzwater Street, in Passyunk Township aforesaid. Containing in front or breadth on the said Schuylkill Front Street, 138 feet 6 inches, and extending in length or depth westward, along the north side of the said Fitzwater Street, 192 feet 6 inches. Bounded northward by the aforesaid 30 feet wide street, eastward by the said Schuylkill Front Street, southward by the said Fitzwater Street, and westward by a Lot of ground marked in the said Plan H No. 27, thereinbefore allotted to Charles Pepper as above shown. [*Being* composed of portions of the two Tracts, one of 7 acres, and the other of 4 acres and 91 perches, described in the foregoing part of this Brief.]

Acknowledged January 13th 1847.
Recorded January 30th 1847, in Deed Book W M No. 29 page 4 &c.

The Plan on the next following page is a copy of that part of the said Plan H which includes the Lots of ground described in the last above abstract.

GROVER AVENUE

GRAYS FERRY ROAD

FITZWATER STREET

ASHTON STREET

SCHUYLKILL STREET

FRONT STREET

50

60

30

26 L.S.P.

94.3 1/8

236.1 5/8

213.3/8

27 C.P.

175.11 3/8

56.3/4

80.6

28.9

138.6

28 L.S.P.

192.6

192.6

138.6

31 C.P.

45.10 1/2

106.8 5/8

114.11 7/8

30 C.T.

71.10 1/2

90.3.5/8

136.05/8

120.7 1/4

29 C.P.

138.6

160.1 1/4

228.7 1/8

154.7 3/4



1850, March 29th. Ex. Pamphlet Laws.

An Act of the General Assembly of the Commonwealth of Pennsylvania, approved this day, and entitled "An Act relating to certain Streets in the Districts of Moyamensing, Kensington and Penn, and to the survey of the Township of Passyunk, in the County of Philadelphia," &c., whereby it was enacted, inter alia, that Ashton Street south of Cedar Street, and Grover Avenue south of Grays Ferry Road, as laid out upon the plan of the northern part of Passyunk Township, be vacated; and in lieu thereof, Ashton Street, of the breath of 50 feet, should be laid out; the centre of which should be equidistant between Schuylkill Front Street and Willow Street, as laid out and delineated upon said Plan.

Vide Pamphlet Laws of 1850 page 290 &c.

Of the several streets referred to in the above act, Cedar is now called South Street, Schuylkill Front is now called Twenty second Street, the new Ashton Street, which was laid out as thereby directed, is now called Twenty third Street, and the said Willow Street is now called Twenty fourth Street.

The 30 feet wide Street referred to in the above Deed Poll of Allotment, is now called Pemberton Street.

Recited in the three Deeds to Charles M. S. Leslie, hereinafter abstracted.

The said Catharine Thomson intermarried with Emile B. Gardette

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1854, December 5th. Ex. Record.

At an Orphans Court for the City and County of Philadelphia, this day held at Philadelphia, the Petition of Isaac Norris was presented, *praying* that he might be discharged as trustee under the will of George Pepper deceased, of the trusts in favor of Edward, Charles and Lawrence Pepper and Catharine Gardette; his co-executors and trustees, therein consenting thereto.

Whereupon the Court, upon due consideration, granted the prayer of the Petitioner, and discharged him as trustee aforesaid.

Vide Orphans Court Docket No. 45 page 460 &c.
On file No. 49 of December 1854.

And Whereas the said Mary Pepper, Henry Pepper, William Pepper and Michael Baker, executors and trustees as aforesaid, have all departed this life.

Recited in the three Deeds to Charles M. S. Leslie, hereinafter abstracted.

1867, February 23d. Ex. Record.

At an Orphans Court this day held as aforesaid, the Petition of Catharine Gardette was presented, setting forth the Will of her father, and the subsequent facts as above shown; that George S. Pepper was then the sole surviving and acting trustee under said Will; and that she was desirous of having her brother Frederick S. Pepper appointed as trustee, in the stead of Isaac Norris resigned;

And Praying the Court to appoint the said Frederick S. Pepper trustee for her, the said Catharine Gardette, under the Will of said George Pepper, in the the stead of said Isaac Norris resigned, and to have the same power and interest over and in the premises in trust, as the said Isaac Norris would have had if he had continued to act as trustee aforesaid.

Whereupon the Court granted the prayer of the said Petitioner, and ordered security in the sum of $140,000—.

Vide Orphans Court Docket No. 57 page 151 &c.
On file No. 195 of February 1867.

1867, March 13th. Ex. Bond Book.

Bond, under the hands and seals of Frederick S. Pepper, trustee, with Lawrence S. Pepper as surety, in the sum of $140,000—, conditioned for the faithful appropriation of the proceeds of the said trust estate.

Vide Orphans Court Miscellaneous Bond Book E A M No. 2 page 176½.

ALL the Lots of ground described at the above head of this Brief were vacant and unimproved at the date of the deeds to Charles M. S. Leslie hereinafter abstracted.

Recited in the said Deeds to Charles M. S. Leslie.

Letter of Attorney, under the hand and seal of Charles Pepper, whereby he did constitute and appoint GEORGE S. PEPPER to be his true and lawful attorney, for him and in his name, to testify his consent to the sale of sundry vacant and unimproved Lots of ground therein particularly mentioned and described, including the Lots of ground described as Lots B, C, and G at the head of this Brief, in the way and manner, and such prices, and on such terms as he the said George S. Pepper might see fit, according to the terms and provisions of the above Will of George Pepper. 1867, June 21st. Produced.

Stamped $1—.

Acknowledged June 21st 1867, before John G. Nicolay, United States Consul at Paris in the Empire of France.

Recorded July 17th 1869, in Letter of Attorney Book J T O No. 3 page 530 &c.

Deed, *tripartite.*—George S. Pepper, sole surviving acting tamentary trustee for Mrs. Catharine Gardette, and also one the executors named in and appointed by the last Will and stament of George Pepper deceased, and Frederick S. pper, co-trustee for the said Catharine Gardette, appointed the Orphans' Court as above shown, of the first part; the d Catharine Gardette of the second part; and CHARLES M. LESLIE of the third part; whereby the said parties of the t part, in pursuance and by virtue of the power and authority hem reposed and vested by the above Will of George Pepper eased, and by force and virtue thereof, and of every other it, power and authority them in this behalf enabling, and virtue of and with the consent in writing of the said party 1869, July 17th. Produced.

of the second part, under her hand and seal, testified by her joining in and signing and sealing these presents, granted and conveyed unto the said Charles M. S. Leslie in fee, the Lot of ground described as Lot A at the head of this Brief, and delineated on the large Plan at the head of this Brief, being designated thereon by the said letter A. [*It being* the same Lot of ground allotted to the said Catharine Thomson, now Gardette, as above shown.]

To Hold the said Lot of ground, freed and discharged from all uses, trusts or limitations whatsoever, and without any liability on the part of the said Charles M. S. Leslie, his heirs or assigns, to see to the application of the purchase money.

Consideration $9,746.57.

Subject to the express restriction and agreement that no stable, slaughter-house, skin-dressing establishment, hose or engine house, blacksmith shop, carpenter shop, glue, soap, candle or starch manufactory, or other building for offensive occupation, or any court should at any time thereafter be placed erected or used upon any part of the thereby granted Lot o ground.

Stamped $10.

Acknowledged July 17th 1869.

Recorded July 29th 1869, in Deed Book J T (
No. 267 page 150 &c.

1869, July 17th. Produced.

Deed, *tripartite*—George S. Pepper, sole surviving actin testamentary trustee for Charles Pepper, and also one of th executors named in and appointed by the last Will and Testa ment of George Pepper deceased, of the first part, the sai Charles Pepper, residing abroad and acting therein by his atto ney in fact, the said George S. Pepper, duly constituted as abo shown, of the second part, and Charles M. S. Leslie of th third part; whereby the said party of the first part, in purs ance and by virtue of the power and authority in him repose and vested by the above Will of George Pepper deceased, an by force and virtue thereof, and of every other right, power an

authority him in this behalf enabling, and by virtue of and with the consent in writing of the said party of the second part, under his hand and seal, testified by his joining in and signing and sealing (by his attorney in fact) these presents, granted and conveyed unto the said Charles M. S. Leslie in fee, the Lots of ground described respectively as Lots B, F, G and C at the head of this Brief, and delineated on the large Plan at the head of this Brief, being respectively designated thereon by the said letters B, F, G and C. [*The* said Lot B being the triangular Lot of ground No. 31, allotted, inter alia, to the said Charles Pepper as above shown. The said Lots F and G being composed partly of the Lot of ground No. 27, allotted, inter alia, to Charles Pepper as above shown, and partly of the east moiety of the bed of Ashton Street lying adjacent thereto and vacated as hereinbefore shown. And the said Lot C being part of the Lot of ground No. 29, allotted, inter alia, to the said Charles Pepper as above shown.]

Together as respects the said Lots described as F and G, with the free and common use, right, liberty and privilege of the twelve feet wide Alley mentioned in the descriptions of said Lots at the head of this brief, as and for a passage way and water course, at all times thereafter forever, in common with the owners, tenants and occupiers of the other Lots of ground bounding thereon.

To Hold the said Lots of ground, freed and discharged from all uses, trusts or limitations whatsoever, and without any liability on the part of the said Charles M. S. Leslie, his heirs or assigns, to see to the application of the said purchase money.

Consideration $23,686.66.

Subject to the restriction and agreement in regard to the erection and use of buildings, mentioned in the last above Deed.

Stamped $24.

Acknowledged July 17th 1869.

Recorded July 29th 1869, in Deed Book J T O No. 267 page 140 &c.

1869, July 17th. Produced.

Deed, *tripartite.*—George S. Pepper, sole surviving acting testamentary trustee for Lawrence S. Pepper, and also one of the executors named in and appointed by the last Will and Testament of George Pepper deceased, of the first part, the said Lawrence S. Pepper of the second part, and CHARLES M. S. LESLIE of the third part; whereby the said party of the first part, in pursuance and by virtue of the power and authority in him reposed and vested by the above Will of George Pepper deceased, and by force and virtue thereof, and of every other right, power and authority him in this behalf enabling, and by virtue of and with the consent in writing of the said party of the second part, under his hand and seal, testified by his joining in and signing and sealing these presents, granted and conveyed unto the said Charles M. S. Leslie in fee, the Lots of ground described respectively as Lots K, H, I, D and E at the head of this Brief, and delineated on the large Plan at the head of this Brief, being respectively designated thereon by the said letters K, H, I, D and E. [*The* said Lot K being part of the Lot of ground No. 26, allotted, inter alia, to Lawrence S. Pepper as above shown. The said Lots H and I being composed partly of portions of the said Lot of ground No. 26, and partly of the west moiety of the bed of Ashton Street lying adjacent thereto, and vacated as hereinbefore shown. And the said Lots D and E together composing the Lot of ground No. 28, allotted, inter alia, to Lawrence S. Pepper as above shown.]

TOGETHER as respects the Lots described as K and H, with the right of soil of so much of Twenty third Street, as is included within the lines of the said Lot No. 26 allotted to the said Lawrence S. Pepper as above shown.

AND TOGETHER as respects the said Lots described as H, I, D and E, with the free and common use, right, liberty and privilege of the aforesaid twelve feet wide Alley, as and for a passage way and water course, at all times thereafter forever, in common with the owners, tenants and occupiers of the other Lots of ground bounding thereon.

TO HOLD the said Lots of ground, freed and discharged

from all uses, trusts or limitations whatsoever, and without any liability on the part of the said Charles M. S. Leslie, his heirs or assigns, to see to the application of the said purchase money.

Consideration $33,149.50.

SUBJECT to the restriction and agreement in regard to the erection and use of buildings, mentioned in the Deed last but one above.

Stamped $33.50.

Acknowledged July 17th 1869.
Recorded July 29th 1869, in Deed Book J T O No. 267 page 131 &c.

Prepared from the records and papers produced.
July: 1869. E. FURMAN BALDWIN.

Philadelphia, March 12th 1870.

We have examined and considered the foregoing Brief, and he certificates of search produced, and we are of opinion that good title in fee simple to the ten Lots of ground situate respectively on Twenty second, Twenty third, Fitzwater and Pemerton Streets, described at the head of said Brief, is thereby deuced to Charles M. S. Leslie, clear of all incumbrance prior to he deed to him.

HENRY WHARTON
EDWARD OLMSTED
ELI K. PRICE.

COPIES OF SEARCHES.

Please certify every UNSATISFIED MORTGAGE of record given of the Lots of ground in the Twenty sixth Ward, Philadelphia delineated on the preceding plan and colored PINK, or either of them, or any part of either of them, by

JOHN CORREY, from 1 June 1756 to 1 March 1772,

JOSEPH GALLOWAY, from 1 February 1756 to 1 July 1756,

SAMUEL CORREY,
ROBERT CORREY,
JAMES READ,
SUSANNA READ,
MARY CORREY,
LEATITIA CORREY,
ANN CORREY,
} from 1 April 1757 to 1 July 1782,

JOHN DAVID SECKEL, from 1 January 1779 to 1 April 1809,

GEORGE PEPPER, from 1 March 1809 to 1 February 1846,

MARY PEPPER,
HENRY PEPPER,
WILLIAM PEPPER,
MICHAEL BAKER,
} from 1 January 1846 to 1 March 186

ISAAC NORRIS, from 1 January 1846 to 1 January 1855,

FREDERIC S. PEPPER, since 1 February 1867,

GEORGE S. PEPPER,
CATHARINE THOMSON,
EMILE B. GARDETTE,
CATHARINE GARDETTE,
CHARLES PEPPER,
LAWRENCE S. PEPPER,
} since 1 January 1846.

BALDWIN.

On searching the index of Mortgages for the City and County of Philadelphia, I do not find any Unsatisfied Mortgages

STREET
PEMBERTON
STREET
THIRD
415
55.
209.10
138.6
221.3
SECOND
STREET
80
138.6
138.6
80
FITZWATER
STREET
TWENTY
106.8 5/8
114.11 1/4
15.10 1/4
TWENTY
136.0 5/8
71.10 1/2
120.1 1/4
90.3 5/8

the above mentioned premises, or any part thereof, by either of the twenty three persons above named, within the periods specified.

Witness my hand and seal of office, this Twenty sixth day of November, A. D. 1869.

M. W. MYERS, *pro Recorder.*

[Recorder's Seal impressed, and 5 cent U. S. Revenue Stamp affixed.]

Please certify all TAXES REGISTERED against the Lots of ground in the Twenty sixth Ward, Philadelphia, delineated on the preceding plan, and colored PINK, or either of them, or any part of either of them, which have been owned by

THE ESTATE OF GEORGE PEPPER DECEASED.

BALDWIN.

On examining the register in the office of the Receiver of Taxes, I find nothing against the above mentioned premises, for the years 1864 to 1868, inclusive.

J. NUTTALL, *Reg. Clerk.*

[5 cent U. S. Revenue Stamp affixed.]

Please certify all TAX LIENS against the Lots of ground in the Twenty sixth Ward, Philadelphia, delineated on the preceding plan, and colored PINK, or either of them, or any part of either of them, which have been owned by

THE ESTATE OF GEORGE PEPPER DECEASED.

BALDWIN.

Upon examination of the Tax Lien docket in my office, I find no unpaid Liens against the above mentioned Lots of ground, or any part of them, as delineated.

THOMAS H. ELCOCK,
Solicitor for Receiver of Taxes.
October 27th 1769.

[5 cent U. S. Revenue Stamp affixed.]

Please certify all CITY CLAIMS against the Lots of ground in the Twenty sixth Ward, Philadelphia, delineated upon the preceding plan, and colored PINK, or either of them, or any part of either of them, which have been owned by

THE ESTATE OF GEORGE PEPPER DECEASED.

BALDWIN.

On examining the index of claims in the office of the City Solicitor, I find nothing against the premises as above delineated.

C. J. MCALLISTER.
November 25th 1869.

[5 cent U. S. Revenue Stamp affixed.]

Please certify all CLAIMS against the Lots of ground in the Twenty sixth Ward, Philadelphia, delineated on the preceding plan, and colored PINK, or either of them, or any part of either of them, which have been owned by

THE ESTATE OF GEORGE PEPPER DECEASED.

To the Prothonotary of the Court of Common Pleas. } BALDWIN.

On examination of the locality index of the Court of Common Pleas, I find, no unsatisfied claims against the premises as above delineated, since November 1st 1864.

WM. G. RUSSELL, *pro Prothonotary.*
November 23d 1869.

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

Please certify all CLAIMS against the Lots of ground in the Twenty sixth Ward, Philadelphia, delineated on the preceding plan, and colored PINK, or either of them, or any part of either of them, which have been owned by

THE ESTATE OF GEORGE PEPPER DECEASED.

To the Prothonotary of the District Court. } BALDWIN.

On searching the locality index of the District Court for the City and County of Philadelphia, I find no unsatisfied Claim

against the premises above delineated, since November 1st 1864.

WM. H. SAYLOR, *pro Proth'y.*
November 25th 1869.

[Seal of Court impressed and 5 cent U. S. Revenue Stamp affixed.]

Please certify all SHERIFF'S SALES made of the Lots of ground, in the Twenty sixth Ward, Philadelphia, delineated on the preceding plan and colored PINK, or either of them, or any part of either of them.

To John C. Uhle, Esq.

BALDWIN.

An examination of my Sheriff's record, as far as collated, fails to discover any Sheriff's sales of the above delineated premises.

JNO. C. UHLE.
December 15th 1869.

[5 cent U. S. Revenue Stamp affixed.]

COURT OF QUARTER SESSIONS of the Peace for the City and County of Philadelphia. I certify that I have examined the records of the aforesaid Court for five years past, and do not find any unsatisfied Judgments against

MARY PEPPER,
HENRY PEPPER,
WILLIAM PEPPER,
MICHAEL BAKER,
FREDERICK S. PEPPER,
GEORGE S. PEPPER,
} *Trustees,*
CATHARINE THOMSON,
EMILE B. GARDETTE,
CATHARINE GARDETTE,
CHARLES PEPPER,
LAWRENCE S. PEPPER.

R. S. GARRISON, *pro Clerk.*
January 6th 1870.

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

On examination of the Judgment index of the COURT OF COMMON PLEAS for the City and County of Philadelphia, from November 25th, A. D., one thousand eight hundred and sixty four, (1864,) to the Twenty sixth day of November, one thousand eight hundred and sixty nine, (1869,) I find no unsatisfied Judgments entered therein, within that period against

MARY PEPPER,
HENRY PEPPER,
WILLIAM PEPPER,
MICHAEL BAKER,
FREDERICK S. PEPPER,
GEORGE S. PEPPER,
} *Trustees*,
CATHARINE THOMSON,
EMILE B. GARDETTE,
CATHARINE GARDETTE,
LAWRENCE S. PEPPER.

Certified by G. G. LOUDEN, *pro Proth'y.*

— Baker, April 23d '66, March 21 '68, September 22 '69.

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

The Judgments noted on the preceding Court of Common Pleas search are as follows:—

— Baker, April 23d, 1866. This Judgment is marked on the index thus:—

(Defendant's column,)	(Plaintiff's column,)
Baker,	Association.

There is no term or number given on the index, and the original papers are lost.

— Baker, March 21st, 1868. See Appearance docket, M. 68.87. George F. Zehnder, vs:—William H. Baker and Thomas Farley, trading as Baker and Farley.

— Baker, Sept. 22d, 1869. See Appearance docket, D. 68.473, Baker and Haffa, to the use of William H. Haffa, vs:—Charles H. Christman and J. W. Christman, trading as C. H. Christman & Co.

Note—Neither of the two last above mentioned Judgments is against Michael Baker, Trustee under the will of George Pepper deceased.

On examination of the Judgment index of the COURT OF COMMON PLEAS for the City and County of Philadelphia, from November 25th, A. D., one thousand eight hundred and sixty four, (1864,) to the 26th day of November, one thousand eight hundred and sixty nine, (1869,) I find the following unsatisfied Judgments entered therein, within that period, against

CHARLES PEPPER.

City, D. 68.75, Barger, Feb'y 19 '69, $24.58.

Certified by G. G. LOUDEN, *pro Proth'y.*

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

The Judgment certified on the preceding Court of Common Pleas search is as follows:—

Is a Claim for water pipe against Lot, north side Fitzwater Street, 235 feet $4\frac{3}{4}$ inches west of Twenty first Street; front 24 feet 7 inches, and in depth 84 feet. City, App. D. 68.75.

On examination of the Judgment index of the DISTRICT COURT for the City and County of Philadelphia, from November 10th, A. D., one thousand eight hundred and sixty four, (1864,) to the first day of December, one thousand eight hundred and sixty nine, (1869,) I find no unsatisfied Judgments entered therein, within that period, against

MARY PEPPER,
HENRY PEPPER,
MICHAEL BAKER, } *Trustees,*
CATHARINE THOMSON,
EMILE B. GARDETTE,
CATHARINE GARDETTE,
CHARLES PEPPER,
LAWRENCE S. PEPPER.

Certified by D. A. ALLISON, *pro Proth'y.*

Chas. R. Pepper, Oct. 21st 1865.[2]

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

The Judgments noted on the preceding District Court search are as follows:

Charles R. Pepper, October 21st, 1865.

See Appearance docket S. 65.629. Is a sci. fa. sur Mortgage, (Mortgage Book R D W No. 48 page 1,) brought against George S. Pepper, guardian of Chas. R. Pepper. Premises corner of Black Horse Alley and Letitia Street.

Charles R. Pepper, October 21st, 1865.

See Appearance docket, S. 65.630. Is a sci. fa. sur Mortgage, (Mortgage Book L R B No 41 page 524,) brough against George S. Pepper, guardian of Chas. R. Pepper. Premises corner of Black Horse Alley and Letitia Street.

On examination of the Judgment index of the District Court for the City and County of Philadelphia, from Novembe 30th, A. D., one thousand eight hundred and sixty-four, (1864, to the First day of December, one thousand eight hundred an sixty nine, (1869,) I find the following unsatisfied Judgment entered therein, within that period, against

WILLIAM PEPPER.

John M. Moriarty, M.67.220, D. S. B., April 1'67, R. D. $500.00
J. L. Ringwalt, M. 67. 1056, Ashton, April 20 '67, ———

Certified by D. A. ALLISON, *pro Proth'y.*

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

The Judgments certified on the preceding District Cou search are as follows:—

Jno. M. Moriarty, D. S. B. M. 67. 220.

Is a Judgment entered on Judgment note dated March 30t 1867, for $500, payable on demand. April 1st 1867 Judgmen Note on file signed "William Pepper & Co." Fi. fa. M. 67.60 Levied on certain personal estate.

J. L. Ringwalt, App. M. 67. 1056.

Is a Summons case suit on book account, brought again William Pepper and Charles W. Beresford, co-partners under tl firm of William Pepper & Co. Summons served as to Pepper 937 Ogden Street.

Note—Neither of the two above mentioned Judgments is gainst William Pepper, Trustee under the will of George Pepper deceased.

On examination of the Judgment index of the DISTRICT OURT for the City and County of Philadelphia, from November)th, A. D., one thousand eight hundred and sixty four, (1864,) the First day of December, one thousand eight hundred and xty nine, (1869,) I find the following unsatisfied Judgment en- red therein, within that period, against

FREDERICK S. PEPPER.

Frederick S. Pepper, D 65.1409, Waln, April 14 '66, ——.

Certified by D. A. ALLISON, *pro Proth'y.*

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

The Judgment certified on the preceding District Court arch is as follows:—

Is an Attachment sur Judgment D 65.767, which is a Sum- ons case, suit on Instrument of Writing; Frederick S. Pep- r vs:—Marmaduke C. Moore. January 23d 1868, costs paid said Frederick S. Pepper, garnishee.

Fred. S. Pepper, App. D. 65. 1409.

Note—The above mentioned Judgment is not against Freder- k S. Pepper, Trustee under the will of George Pepper de- ased.

On examination of the Judgment index of the DISTRICT OURT for the City and County of Philadelphia, from November th, A. D., one thousand eight hundred and sixty four, (1864,) the First day of December, one thousand eight hundred and xty nine, (1869,) I find the following unsatisfied Judgments tered therein, within that period, against

GEORGE S. PEPPER.

Robt. W. Sykes, S. 65. 629, Waln, Oct. 21, '65,——.
" " " 630, " " ——.

Certified by D. A. ALLISON, *pro Proth'y.*

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

The Judgments certified on the preceding District Court search are as follows:—

Robt. W. Sykes, App. S. 65. 629.

Is a sci. fa. sur Mortgage [Mtg'e Book R D W No. 48 page 1,] brought against George S. Pepper, guardian of Charles R. Pepper. Premises corner of Black Horse Alley and Letitia Street.

Robt. W. Sykes, App. S. 65. 630.

Is a sci. fa. sur Mortgage, [Mtg'e Book L R B No. 41 page 524,] brought against George S. Pepper, guardian of Charles R. Pepper. Premises corner of Black Horse Alley and Letitia Street.

Note.—Neither of the two above mentioned Judgments is against George S. Pepper, Trustee under the will of George Pepper, deceased.

I, James Ross Snowden, Prothonotary, do certify that on examining the Judgment index of the Supreme Court of Pennsylvania, for the Eastern District, for five years prior to the Twenty sixth day of November, one thousand eight hundred and sixty nine, I find no unsatisfied Judgments entered within that period, against

Mary Pepper,
Henry Pepper,
William Pepper,
Michael Baker,
Frederick S. Pepper,
George S. Pepper.
} *Trustees*,

Catharine Thomson,
Emile B. Gardette,
Catharine Gardette,
Charles Pepper,
Lawrence S. Pepper.

Charles B. Ross, *pro Proth'y.*

Thompson, April 10th, 1867.

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

The Judgment noted on the preceding Supreme Court search is as follows:—

See Appearance Docket, July Term, 1867, No. 14. The Pennsylvania Rail Road Company vs:—Thomson et al. Is an amicable action in ejectment to recover possession of store and premises, north west corner of Market and Fifteenth Streets, Philadelphia. —Thompson, April 10th, 1867.

UNITED STATES,
Eastern District of Pennsylvania. } *sct.*

I, Benjamin Patton, Clerk of the CIRCUIT COURT OF THE UNITED STATES, in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied Judgments remaining on record in my office, obtained within the last five years, against

MARY PEPPER,
HENRY PEPPER,
WILLIAM PEPPER,
MICHAEL BAKER,
FREDERICK S. PEPPER,
GEORGE S. PEPPER, } *Trustees,*
CATHARINE THOMSON,
EMILE B. GARDETTE,
CATHARINE GARDETTE,
CHARLES PEPPER,
LAWRENCE PEPPER.

W. GRIER HIBLER, *pro Clerk.*

Philadelphia, this Sixth day of January, A. D., 1870.

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

UNITED STATES,
Eastern District of Pennsylvania. } *ss.*

I, Gilbert R. Fox, certify that there are no unsatisfied Judg-

ments remaining on record in my office, obtained within the last five years, against

MARY PEPPER,
HENRY PEPPER,
WILLIAM PEPPER,
MICHAEL BAKER,
FREDERICK S. PEPPER,
GEORGE S. PEPPER,
} *Trustees*,

CATHARINE THOMSON,
EMILE B. GARDETTE,
CATHARINE GARDETTE,
CHARLES PEPPER,
LAWRENCE S. PEPPER.

W. GRIER HIBLER, *pro Clerk.*
DISTRICT COURT, U. S.

Philadelphia, this Sixth day of January, A. D., 1870.

[Seal of Court impressed, and 5 cent U. S. Revenue Stamp affixed.]

15 161

Brief of Title

to

A Tract of Land

on Point Breeze Avenue, Reed, Dickinson

and Twenty-second Streets

in the Twenty-sixth Ward

of the City of Philadelphia

Belonging to John Gillespie

and Thomas Gillespie

Printed for Wm. Lore
424 Walnut Street

Brief of Title

to

A Tract of Land

on Point Breeze Avenue, Reed, Dickinson

and Twenty-second Streets

in the Twenty-sixth Ward

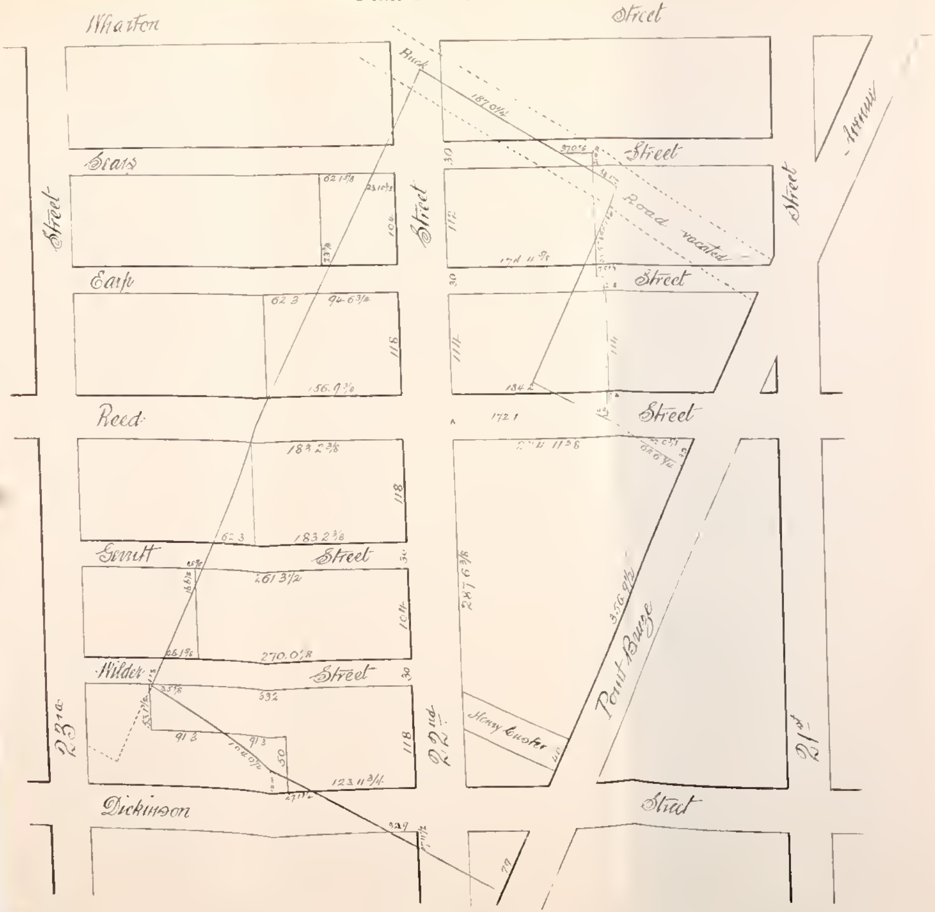
of the City of Philadelphia

Belonging to John Gillespie

and Thomas Gillespie

Printed for Wm. Lore
424 Walnut Street

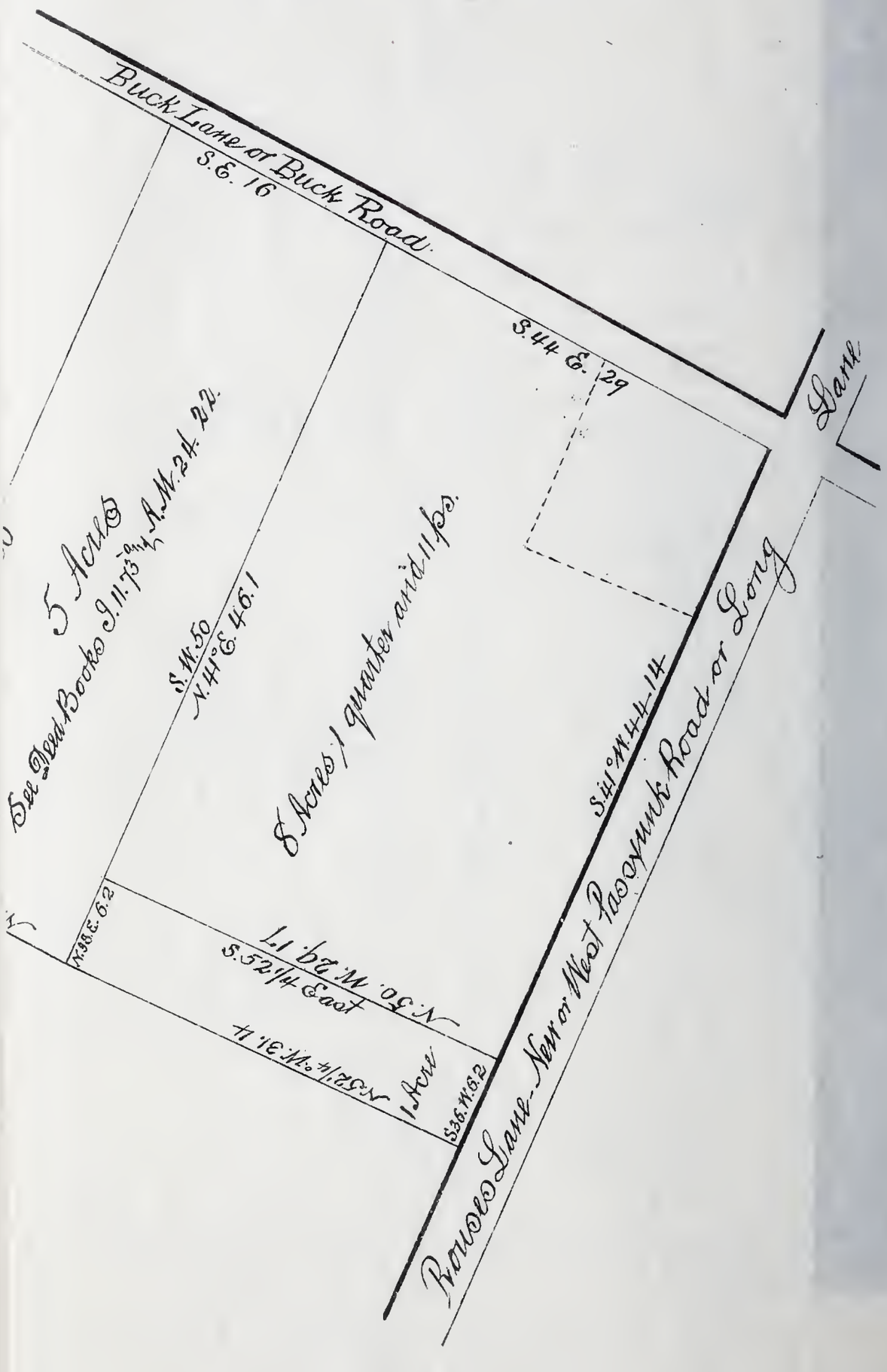
Plan No. 1



Plan No. 2



Plan No. 2


Buck Lane or Buck Road
S.E. 16
S. 44 E. 129
Lane
5 Acres
See Deed Books J. 11. 73 3rd A. N.W. 24. 22.
S. W. 50
N. 44° E. 46.1
8 Acres 1 quarter and 11 ps.
S. 41° W. 44. 14
N. 55. E. 6.2
N. 50. W. 22. 1
S. 52 1/4 East
N. 52 1/4 W. 31. 4
1 Acre
S. 36. W. 6.2
Rawes Lane - New or West Paramus Road or Long

Brief of Title

TO

A tract of land Situate in the 26th Ward of the City of Philadelphia described as follows Beginning on the northwestwardly side of Point Breeze Avenue formerly called Long Lane at the distance of 79 feet southwestwardly from Dickinson Street thence northeastwardly along said Point Breeze Avenue crossing said Dickinson Street to a corner in said avenue 32 feet southwestwardly from Reed Street thence northwestwardly 64 feet 6¾ inches to a corner on the south side of said Reed Street 72 feet and ⅝ of an inch west of said Point Breeze Avenue thence still northwestwardly to a point in the middle of said Reed Street 172 feet 1 inch east of 22nd Street thence eastwardly along the middle of said Reed Street 9 feet 9 inches thence northward parallel with said 22nd Street 25 feet to the north side of said Reed Street thence eastward along said Reed Street 2 feet 4 inches thence northward parallel with said 22nd Street 114 feet to the south side of Earp Street thence westward along the said Earp Street 2 feet 4 inches thence northward parallel with said 22nd Street 15 feet to the middle of said Earp Street thence westwardly along the middle of said Earp Street 7 feet 5⅜ inches thence northwardly parallel with said 22nd Street 43 feet 5⅞ inches thence northeastwardly 66 feet 1¾ inches thence northwestwardly 34 feet 1½ inches thence northwardly parallel with said 22nd Street 21 feet 10½ inches to the middle of Sears Street thence westwardly along the middle of said Sears

Street 37 feet and ⅛ of an inch thence northwestwardly 187 feet and ¼ of an inch to a corner in 22nd Street thence southwestwardly to a point in the south side of Sears Street 23 feet 10⅜ inches west of 22nd Street thence westwardly along the said Sears Street 62 feet 1⅝ inches thence southwardly parallel with said 22nd Street 104 feet to the north side of Earp Street thence eastwardly along said Earp Street 7 feet 3⅜ inches thence southwestwardly to the south side of Earp Street thence westwardly along said Earp Street 62 feet 3 inches thence southwardly parallel with 22nd Street 118 feet to the north side of Reed Street thence southwestwardly crossing Reed and Gerritt Streets to the south side of said Gerritt Street thence westwardly along the said Gerritt Street 8 feet 8⅝ inches thence southwardly parallel with 22nd Street 16 feet 6½ inches thence southwestwardly to the south side of Wilder Street thence westwardly along said Wilder Street 1 foot 7½ inches thence southwardly parallel with 22nd Street 53 feet 1½ inches thence eastwardly parallel with Wilder Street 91 feet 3 inches thence southeastwardly 104 feet and ½ of an inch thence southwardly parallel with 22nd Street 14 feet 10½ inches to the north side of Dickinson Street thence eastwardly along said Dickinson Street 27 feet 1¾ inches thence southeastwardly crossing said Dickinson Street and 22nd Street to the place of beginning Reserving thereout a lot of ground conveyed by Peter Bobb to Henry Custer situate on Long Lane 18 feet north of Dickinson Street. Containing in front on said Lane 40 feet and in depth at right angles to said Lane northwestwardly to 22nd Street.

No. 1

1676
March 25th

Examined
Record

PATENT.- Edmund Andros Governor General under His Royal Highness James Duke of York and Albany of all his Territories in America to Peter Dalboe in fee for a certain parcel of land on the west side of Delaware River and on the east side of the Schuylkill Beginning on a point by the upper side of a rock at the mouth of a deep branch nigh and by the dwelling house of the said Dalboe which said branch divideth this from the land of Peter Ramboe and from the said point running by the side of the said kill or creek northeasterly 30° 56 perches northeasterly 85° 32 perches east and by south 14 perches southeast 36 perches eastsoutheast 38 perches northeasterly 81° 60 perches and northeast 36 perches to a corner marked white oak standing at the side of the aforesaid kill or creek and from the said oak southeast by a line of marked trees 244 perches to a corner marked white oak standing on a barren level and from that oak southwest by a line of marked trees 180 perches to another corner marked white oak standing in the east line of Passyunk land being the uppermost corner tree of the land of Peter Ramboe and from thence northwest by a line of marked trees 160 perches to a small swamp which descendeth into the first mentioned deep branch and from thence northwesterly down the several courses of the said swamp to the place of beginning the which said line and swamp divideth this from the land of the said Ramboe. Containing and laid out for 300 acres.

Recorded the 29th of 5th month 1701 in Patent Book A vol. 2 page 32 and in Exemplification Record No. 1 page 311.

No. 2

1708
August 10th

Examined
Record

DEED POLL.- Peter Matson styling himself son and heir of Peter Matson alias Dalbo and Katharine Matson widow of said Peter Matson alias Dalbo to Andrew Rudman in fee for a piece of land on the east side of Schuylkill in the County of Philadelphia. "Beginning at a post being the "corner of the land called Craps on the "bank of Schuylkill thence southeast by "the same 245 perches to a post thence southwest by land "late John Martin's now in the possession of Charles "Sober 55 perches to a post for another corner and from "thence northwest by the lot share and proportion of my "sister Margaret's land 266 perches to a post standing on "the bank at Schuylkill side thence up by the several courses "of the River Schuylkill unto the place of beginning Con- "taining 80 acres of land be the same more or less including "and comprehending a certain lot of 1 acre of land laid out "about 26 perches square on each side of the King's Road "at the Schuylkill Ferry as the same is bounded and set "forth."

Acknowledged August 23rd 1708.
Recorded August 23rd 1708 in Deed Book E 5 vol. 7 page 62.

No. 3

1708
August 24th

Examined
Record

DEED.- Andrew Rudman to Charles Sober in fee for a certain piece or parcel of land (part of said 80 acres) situate lying and being a little west from Philadelphia near unto Schuylkill Beginning at a post near unto a white oak marked for a corner being the western corner of the land late of John Martins now in possession of the said

Charles Sober from thence southwest by the said land 55 perches to a post thence northwest by the land of Margaret Matson 120 perches to a post from thence northeast by other land of the said Rudman's 55 perches to a post for another corner thence southeast by other land of the said Charles Sober formerly called Craps 120 perches unto the first mentioned corner post by a marked white oak being the place of beginning. Containing and laid out for 40 acres of land.

Proved April 16th 1730.

Recorded April 17th 1730 in Deed Book F vol. 5 page 53.

As to a tract of about 7½ acres which forms the greater part of the tract in question.

NOTE.- A Brief of Title endorsed on and recorded with a deed hereinafter mentioned dated 1799 July 27th recites a patent for 233 acres recorded in Exemplification Record No. 1 page 60 and a deed to Charles Sober for 100 acres thereof recorded in Deed Book E 5 No. 7 page 306 but said 233 acres (the north line of which was a little below South Street) could not have included the premises in question. See printed Brief of Title to the "Erwin Estate" prepared by E. Furman Baldwin and the plans thereto annexed.

No. 4

1732
June 12th
Examined
Record

WILL of Charles Sober devising all his estate to his son Thomas Sober and his heirs forever.

Proved August 3rd 1738.

Registered at Philadelphia in Will Book F page 71.

No. 5

1740
April 18th

Examined
Record

WILL of Thomas Sober devising all his real estate to his son John Sober his heirs and assigns. Subject to an annuity to testator's wife during life.

Proved May 6th 1740.

Registered at Philadelphia in Will Book F page 158.

No. 6

1780
November 20

Examined
Record

WILL of John Sober whereby he appointed William Shippen his executor and empowered him to dispose of his real estate by selling the same.

Proved October 4th 1781.

Registered at Philadelphia in Will Book S page 23.

No. 7

1786
September 21

Examined
Record

DEED.- William Shippen executor aforesaid to John Seilers junior (John Saylor) in fee for a lot or piece of ground situate in Passyunk Township on the west side of the New Passyunk Road Beginning at a stake in said road at the distance of 150 feet southward of the corner of said road and the cross road which leads to the Lower Ferry Road thence southerly 18 perches to a stake in said New Passyunk Road thence westerly by said Sober's land 27 perches to a stake thence northerly 18 perches to a stake in said Sober's land thence by the same land 27 perches to the place of beginning Containing 3 acres. Bounded on the east by said New Passyunk Road

on the south and north by land late of the said John Sober or so reputed to be and on the west by land of John Layer.

Acknowledged February 28th 1789.

Recorded July 29th 1799 in Deed Book D No. 77 page 214.

The New or West Passyunk Road or Rouse's Lane was afterwards called Long Lane.

The cross road was afterwards called Buck Lane or Buck Road.

No. 8

1788 January 12th Examined Record

DEED.- John Saylor (called above John Seilers junior) and wife to Edward Burd in fee for said 3 acres.

Acknowledged January 14th 1788.

Recorded December 10th 1788 in Deed Book D No. 22 page 188.

No. 9

1788 July 17th

Produced and Examined

DEED.- William Shippen executor aforesaid to Edward Burd in fee for inter alia a tract or lot of land (which included said 3 acres) situate in Passyunk Township Beginning at a post at the southwest corner of the New or West Passyunk Road (thence by the same) north 41° east 44 perches 14 links to a post *at a corner of an acre of ground in possession of Edward Hanlon but claimed as the estate of the said John Sober* thence along the same land south 50° east 20 (29) perches 17 links to a post at a corner of the same land and land of John Layer thence along John Layer's land south 41° west 46 perches 1 link to a cross road leading to the Lower

Ferry Road then along the same road north 44° west 29 perches to the place of beginning. Containing 8 acres 1 quarter and 11 perches.

Acknowledged September 3rd —— (1788).
Recorded December 10th 1788 in Deed Book D No. 22 page 189.

All these courses should be reversed. See Plan No. 2.

No. 10

1799
July 27th
Produced
and
Examined

DEED.- Edward Burd and wife to Henry Myers in fee for said 8 acres 1 quarter and 11 perches. (See Brief of Title and Plan on this deed).

Acknowledged August 2nd 1799.
Recorded August 3rd 1799 in Deed Book D No. 77 page 259.

No. 11

1834
February 8th

Produced
and
Examined

DEED.- Henry Myers and wife to Henry Myers junior in fee for said 8 acres 1 quarter and 11 perches. Excepting thereout a lot of ground at the southwest corner of the said cross road then called Buck Lane and the New Passyunk Road containing 1 acre of land conveyed by said Henry Myers and wife to Henry Myers junior and Isaac A. Keemle in trust by a deed hereinafter mentioned recorded in Deed Book A M No. 44 page 534 subject to a mortgage of $1100 recorded in Mortgage Book A M No. 8 page 40 (satisfied December 19th 1837).

Acknowledged February 8th 1834.
Recorded February 10th 1834 in Deed Book A M No. 44 page 525.

No. 12
1845
6th October
Produced
and
Examined

DEED.- Henry Myers (late Henry Myers junior) and wife to Peter Bobb in fee for the said 8 acres 1 quarter and 11 perches. Excepting as aforesaid. Subject to a mortgage of $2000.- recorded in Mortgage Book G S No. 21 page 380 (Satisfied June 4th 1863).

Acknowledged October 6th 1845.
Recorded October 16th 1845 in Deed Book R L L No. 51 page 275.

Recited
in No. 14

The said Peter Bobb departed this life on or about the 12th day of August 1867.

No. 13
1866
December 28
Examined
Original

WILL of Peter Bobb.

"First: I direct all my just debts and funer-
"al expenses to be fully paid and satisfied.
"Second: All the rest residue and remain-
"der of my estate real and personal whatso-
"ever and wheresoever I give devise and
"bequeath to my dear wife Maria her heirs
"executors administrators and assigns for-
"ever and hereby nominate and constitute
"her my sole executrix."

Proved September 10th 1867.
Registered at Philadelphia in Will Book No. 60 page 527.

By an Act of Assembly Approved April 10th 1867 Buck Road from the west side of Long Lane northwestwardly to Dunks Lane was vacated Provided that said Road should

not be vacated until 22nd Street from Federal Street southward to Buck Road should be thrown open to public use and Provided that said Road should not be vacated until Wharton and Reed Streets were opened to 25th Street and 25th Street opened from Reed Street to Federal Street.

Pamphlet Laws of 1867 page 1099.

By Act of Assembly Approved March 20th 1868 so much of the above recited Act of April 10th 1867 as provided that said Buck Road should not be vacated until 22nd Street from Federal Street southward to Buck Road should be thrown open to public use was repealed. Provided however that no part of said Road should be vacated east of 22nd Street until 22nd Street should be opened curbed and paved from Federal Street to Long Lane.

Pamphlet Laws of 1868 page 405.

By an Act of Assembly Approved April 9th 1868 so much of said Act of April 10th 1867 as provided that said Road should not be vacated until Wharton and Reed Streets were opened to 25th Street and 25th Street opened from Reed Street to Federal Street was repealed.

Pamphlet Laws of 1868 page 773.

No. 14

1872
June 14th

Produced and
Examined

DEED.- Maria Bobb widow to John Gillespie and Thomas Gillespie in fee for a tract or parcel of land (part of the said 8 acres 1 quarter and 11 perches) Situate in the 26th Ward of the said City of Philadelphia commencing at a point on the northwesterly side of Long Lane (formerly called the New Passyunk Road) thence along the

westerly side of the said Lane or Road crossing Dickinson Street north 40° 52′ east 549 feet 2⅞ inches to a point thence crossing Reed Street north 49° 8′ west 206 feet 6 inches to a point in a corner of land now or late of S. H. Jarden thence along the land of the said S. H. Jarden north 40° 52′ east 244 feet 1½ inches to the middle of Buck Road now vacated thence along the middle of said Buck Road north 44° 54′ west 264 feet 1⅝ inches to a point in 22nd Street thence south by land now or late of John Hallowell 42° 19′ west crossing Reed Street 792 feet 10⅛ inches to a point thence south 46° 46′ east 490 feet 5¼ inches along the lands late of John T. Holloway crossing Dickinson Street and 22nd Street to the place of beginning. Containing about 7½ acres of ground. Reserving thereout a lot of ground conveyed by said Peter Bobb to Henry Custer situate on Long Lane 18 feet north of Dickinson Street. Containing in front on Long Lane 40 feet and in depth at right angles to Long Lane westward to 22nd Street. See Deed Book J T O No. 19 page 6.

Acknowledged same day.

Recorded June 25th 1872 in Deed Book J A H No. 253 page 448.

No. 15

Examined Record

By a decree of the Court of Quarter Sessions of the County of Philadelphia made on the 23rd day of December 1880 that portion of said Buck Road between the west side of Long Lane and the east side of 22nd Street was vacated.

Road Docket No. 25 page 507.

As to 3 lots of ground between the middle of Reed Street and the middle of Sears Street east of 22nd Street one of them being a strip of ground 2 feet 4 inches wide and another being a small triangular lot nearly all of which is included in said Sears Street. As to the said triangular lot which was part of the northeastern half of Buck Road now vacated see a printed Brief of Title prepared by C. D. Ritchie to a tract of 12½ acres and 16 perches belonging to Jacob Jarden.

No. 16

1834
February 8th

Examined
Record

DEED.- Henry Myers and Catharine his wife to Henry Myers junior and Isaac A. Keemle their heirs and assigns for a 2 story double frame house occupied as a tavern and the said lot or piece of ground thereto belonging situate at the southwest corner of a cross road called the Buck Lane leading to the Lower Ferry Road and the West Passyunk Road in Passyunk Township aforesaid. Containing 1 acre being the remaining part of said 8 acres 1 quarter and 11 perches. To hold the same in trust for the use of the said Henry Myers for life and after his decease to convey the same to the said Catharine Myers her heirs and assigns.

Acknowledged same day.

Recorded February 10th 1834 in Deed Book A M No. 44 page 534.

The said Henry Myers departed this life.
Recited in the next following deed.

No. 17
1839
February 1st
Examined
Record

DEED.- Henry Myers (late junior) and Isaac A. Keemle trustees aforesaid to said Catharine Myers in fee for said 1 acre.
Acknowledged February 9th 1839.
Recorded February 11th 1839 in Deed Book S H F No. 31 page 516.

The said Catharine Myers intermarried with Nicholas Carden.
Recited in the next following deed.

No. 18
1847
February 27
Examined
Record

DEED.- Nicholas Carden and said Catharine his wife to Albert Coffin in fee for said 1 acre.
Acknowledged same day.
Recorded February 27th 1847 in Deed Book A W M No. 28 page 311.

The said Albert Coffin departed this life on the 17th day of December 1854.
Recited in the next following petition.

No. 19
1854
September 19
Examined
Original

WILL of said Albert Coffin whereby he devised and bequeathed the residue of his estate which included all his real estate unto his trustees in trust and defined the trust

as to a portion thereof (not including said 1 acre) and further willed as follows: "II.- And as to the rest of my "estate I desire that my said trustees hereinafter named "should hold the same until all my children shall have "arrived at the age of 21 years when I do direct my said "trustees their successors heirs executors or administra- "tors to sell the same for the best price that can be "obtained therefor and the proceeds thereof to divide "amongst my wife Margaret and my children Mary Jane "Coffin Margaret Coffin Albert Coffin William Coffin and "Catharine Coffin share and share alike and in case either "of my said children should die before he or she shall have "respectively arrived at the age of 21 years without leaving "lawful issue then it is my will that his or her share shall "be divided amongst my surviving children — their heirs "equally the heirs of my children taking the same share "that their deceased parent would have taken had he or "she lived" and appointed his brother Samuel L. Coffin and "his friend Christian Hines trustees and executors of his will. And said testator by a codicil of even date with his will directed his trustees to pay his mother out of the income of his estate the sum of $50 a year during her life.

Proved January 5th 1855.

Registered at Media Delaware County Pennsylvania in Will Book D page 389.

No. 20
1854
December 21

The said Christian Hines by writing filed renounced his appointment as executor and trustee. Letters Testamentary were granted to said Samuel L. Coffin.

Examined Original

At an Orphans Court held at Philadelphia on the 4th day of May 1866 the petition of said Margaret Coffin a daughter of said Albert Coffin deceased was presented setting forth inter alia the will of the said Albert Coffin directing the sale of his residuary estate which consisted of the said 1 acre that all the children of said testator had reached the age of 21 years that Samuel L. Coffin one of the trustees named in said will was dead and the other Christian Hines renounced so that there was no one lawfully authorized to make such sale and praying said Court to appoint John Williams as trustee for that purpose. Whereupon said Court appointed said John Williams trustee and ordered security in $9000 which was entered.

Docket No. 56 page 238.

The said Margaret Coffin the widow departed this life.

Recited in the next following deed.

No. 21

1867 January 4th

Produced and Examined

DEED.- John Williams trustee aforesaid to Samuel H. Jarden in fee for said 2 story double frame house occupied as a tavern and lot of ground more particularly described in a survey made thereof by Thomas Daly Jr. District Surveyor on the 19th day of December 1866 as follows Beginning at the southwest corner of said Buck Road and Long Lane thence extending along said Buck Road north 45° 15′ west 207 feet 5 inches to ground of Peter Bobb thence along said ground south 40° 15′ west 219 feet 6 inches to another corner of same ground thence along said Bobb's ground south 50°

15′ east 206 feet 6 inches to said Long Lane and thence along said lane north 40° 15′ west (east) 201 feet 6 inches to the place of beginning. Containing 1 acre.

Acknowledged January 4th 1867.

Recorded January 11th 1867 in Deed Book J T O No. 3 page 455.

No. 22
1869
January 18th
Produced
and
Examined

DEED.- Samuel H. Jarden and wife to Jacob Jarden in fee for one undivided moiety of said 1 acre.

Acknowledged same day.

Recorded January 19th 1869 in Deed Book J T O No. 212 page 170.

No. 23
1875
January 7th
Produced
and
Examined

DEED.- Samuel H. Jarden and wife to Jacob Jarden in fee for inter alia the other moiety of said 1 acre.

Acknowledged same day.

Recorded January 8th 1875 in Deed Book F T W No. 168 page 490.

No. 24
1887
October 15th
Produced
and
Examined

DEED.- Jacob Jarden and wife to John Gillespie and Thomas Gillespie in fee for a lot or piece of ground (part of the said 1 acre) Situate in the 26th Ward of the said City described as follows Beginning in the middle of Reed Street at the distance of 172 feet 1 inch eastward from the east line of 22nd Street thence eastward along the middle of the said Reed Street 9 feet 9 inches thence northward on a line parallel with the said 22nd Street and crossing the north line of said

Reed Street and the south line of a 30 feet wide street called Earp Street 154 feet to the middle of said Earp Street thence westward along the middle of said Earp Street 7 feet 5⅜ inches thence northward on a line parallel with the said 22nd Street and crossing the north line of the said Earp Street 43 feet 5⅞ inches to the line of ground of the said John Gillespie and Thomas Gillespie thence southwestwardly along said ground 177 feet 11¾ inches thence southeastwardly still by the said ground and crossing the north line of said Reed Street 85 feet 7¾ inches to the middle of said Reed Street the place of beginning.

Also a triangular lot or piece of ground (part of the northeastern half of Buck Road) Situate in the 26th Ward of the said City described as follows Beginning in the middle of a 30 feet wide street called Sears Street (which street runs from 21st Street to 22nd Street parallel with and 114 feet southward from the south side of Wharton Street) at the distance of 137 feet 4½ inches eastward from the east line of the said 22nd Street thence eastward along the middle of the said Sears Street 37 feet ⅛ inch thence southward parallel with the said 22nd Street and crossing the south line of the said Sears Street 21 feet 10½ inches to the line of ground of the said John Gillespie and Thomas Gillespie and thence northwestward along the said line 42 feet 11⅞ inches to the middle of the said Sears Street the place of beginning.

Acknowledged same day.

Recorded October 29th 1887 in Deed Book G G P No. 304 page 327.

No. 25
1887
December 15
Produced
and
Examined

DEED.- Jacob Jarden and wife to John Gillespie and Thomas Gillespie in fee for a strip or piece of ground (part of said 1 acre) Situate on the north side of Reed Street Beginning at the distance of 181 feet 10 inches eastward from the east side of 22nd Street in the 26th Ward aforesaid Containing in front or breadth on said Reed Street 2 feet 4 inches and extending in length or depth northward of that width between lines parallel with said 22nd Street 114 feet to the south side of Earp Street Bounded northward by the said Earp Street southward by the said Reed Street eastward by ground conveyed by said Jacob Jarden to George M. McGarvey and westward by ground recently conveyed by said Jacob Jarden to said John Gillespie and Thomas Gillespie.

Acknowledged same day.

Recorded December 17th 1887 in Deed Book G G P No. 328 page 115.

As to Ground on the northwest side of said 7½ acres.

No. 26
1742-3
January 12
Examined
Record

DEED.- John Sober to Edward Ash in fee for a certain piece or tract of land (part of said 40 acres) situate in Passyunk Township in the County of Philadelphia Beginning at a corner post in the line dividing this from John Rouse's land thence extending by the side of a street or road 20 feet wide northeast 50 perches to another corner post thence by another street or road 33 feet wide southeast 32 perches to another corner post

thence by other land of the said John Sober southwest 50 perches to a post in the aforesaid line of John Rouse's land thence by the same land northwest 32 perches to the place of beginning. Containing 10 acres.

Acknowledged January 12th 1742-3.

Recorded June 7th 1771 in Deed Book I vol. 9 page 291.

Examined
Original

At an Orphans Court for the County of Philadelphia held the 6th day of September 1766 the petition of Rebecca Johns (late Rebecca Ash) and Joshua Ash administrators of the estate of said Edward Ash was presented setting forth that in or about the month of December 1749 the said Edward Ash departed this life intestate seized of inter alia said 10 acres and leaving a widow and four children one of whom was a minor and praying said Court to order his real estate to be sold for the payment of a balance due said administrators which there was no personal estate to pay and for the maintenance of the widow and child of said decedent. Whereupon the Court ordered the said administrators to sell said 10 acres. The said administrators sold the same on the 30th day of October 1766 to Jonathan Carmalt for £350 money of Pennsylvania and said Court confirmed said sale on the 8th day of December 1766.

Docket No. 8 pages 27 and 43.

No. 27

1766
October 30th
Examined
Record

DEED.- Rebecca Johns widow and Joshua Ash Administrators aforesaid to Jonathan Carmalt in fee for the said 10 acres.

Acknowledged November 6th 1766.

Recorded June 6th 1771 in Deed Book I vol. 9 page 287.

No. 28

1766
October 31st
Examined
Record

DEED.- Jonathan Carmalt and wife to Rebecca Johns widow in fee for the said 10 acres.

Acknowledged November 6th 1766.
Recorded June 7th 1771 in Deed Book I vol. 9 page 289.

No. 29

1772
June 15th
Examined
Record

DEED.- Rebecca Johns widow to John Lare (by the name of John Lear) in fee for inter alia a piece of land (part of said 10 acres) Beginning at a post a corner of John Sober's land thence by the same southwest 50 perches to a post a corner of John Rouse's land thence by the same northwest 16 perches to a post a corner of Edward Flounder's land thence by the said Edward Flounder's land northeast 50 perches to a post a corner of other land of the said John Sober thence by the same southeast 16 perches to the place of beginning. Containing 5 acres.

Acknowledged July 20th 1772.
Recorded August 26th 1772 in Deed Book I vol. 11 page 73.

No. 30

1804
October —

Examined
Original

WILL of the said John Lare whereby he appointed his wife Catharine Lare executrix and George Westenberger and John Snyder executors and gave unto his said wife Catharine during her life all his real estate for the support of herself and for the purpose of maintaining educating and bringing up all his minor children until they should arrive respectively to 15 years of age and

from and after the decease of his said wife and after the youngest of his said children should have arrived to the said age of 15 years he did order his executors and the survivor of them to sell all his real estate and to execute deeds to the purchasers thereof in fee simple.

Proved July 6th 1814.

Registered at Philadelphia in Will Book No. 5 page 286.

The said Catharine Lare and John Snyder are both since deceased and the youngest child of the said John Lare deceased hath long since arrived to the age of fifteen years.

Recited in the next following deed.

No. 31

1831 November 24

Produced and Examined

DEED.- George Westenberger surviving executor of the last will and testament of the said John Lare deceased to William Layer in fee for the said 5 acres described as follows Beginning at a stake by the side of a road leading from Philadelphia to the Lower Ferry called the Buck Road thence extending by other land of the said John Lare deceased granted or intended to be granted to John Hallowell south 40° 10′ west $52\frac{85}{100}$ perches to a stake in the line of William Carberry's land thence by the same south 48° 20′ east 16 perches to a post thence by land of Henry Myers north 40¼° east $52\frac{35}{100}$ perches to a post standing by the side of the aforesaid road and thence by the same road north 46° 35′ west $16\frac{75}{100}$ perches to the place of beginning. Containing 5 acres.

Acknowledged same day.

Recorded February 2nd 1832 in Deed Book A M No. 24 page 22.

No. 32
1832
April 2nd
Produced and
Examined

DEED.- William Layer to John Hallowell in fee for the said 5 acres.
Acknowledged April 3rd 1832.
Recorded April 10th 1832 in Deed Book A M No. 24 page 365.

No. 33

1872
July 10th

Produced
and
Examined

DEED.- John Hallowell to William H. Kemble William V. McGrath and Jacob E. Ridgway in fee in equal third parts for a tract of land containing 17 acres 3 roods and 16 perches which included said 5 acres and half of that part of Buck Road in front thereof.
Acknowledged same day.
Recorded July 11th 1872 in Deed Book J A H No. 258 page 369.

No. 34

1873
November 3
Produced
and
Examined

DEED.- William H. Kemble and wife to Jacob E. Ridgway in fee for all their one undivided third part of said 17 acres 3 roods and 16 perches.
Acknowledged same day.
Recorded December 11th 1873 in Deed Book F T W No. 82 page 505.

No. 35

1875
December 23
Produced
and
Examined

DEED.- Jacob E. Ridgway and wife to William H. Kemble in fee for said one undivided third part of said 17 acres 3 roods and 16 perches.
Acknowledged same day.
Recorded December 30th 1875 in Deed Book F T W No. 243 page 252.

No. 36

1880
January 5th
Produced
and
Examined

DEED.- William H. Kemble and wife to Jacob E. Ridgway and William V. McGrath in fee for said one undivided third part of said 17 acres 3 roods and 16 perches.
Acknowledged same day.
Recorded January 19th 1880 in Deed Book L W No. 81 page 53.

As to ground on the southwest side of said 7½ acres.

NOTE.- No conveyance to John Rouse has been found for the lot of 1 acre hereinafter described and as said 1 acre appears to have been claimed by the estate of John Sober it is not probable that there is any. See deed hereinbefore recited dated 1788 July 17th.

No. 37

1777
May 5th

Examined
Record

AGREEMENT.- John Rouse with Benjamin Hemings whereby the said John Rouse agreed to sell and convey unto the said Hemings in fee a messuage or tenement and four tracts pieces or parcels of land situate in the Township of Passyunk two of them on the southeast side of a road or lane called Rouse's Lane * * * and together containing 42 acres "and the "other two lie on the northwest side of the said road or "lane and are contiguous to and join each other. Bounded "by lands of Barbara Younger Anthony Berkenboil John "Layer Tench Francis John Sober and the said lane con- "taining 16 acres in the whole." Subject to the payment of a mortgage of £1000 given by said John Rouse to

Thomas White dated March 11th 1775 and recorded in Mortgage Book X No. 19 page 121 (satisfied July 24th 1782).
Signed by Benjamin Hemings only.
Proved April 21st 1781.
Recorded April 26th 1781 in Deed Book I No. 17 page 450.

NOTE.- The mortgage of £1000 does not cover the lot of 1 acre next hereinafter described.

No. 38
1778 November 5th
Examined Record

DEED.- John Rouse to Benjamin Hemings in fee for the said 4 tracts of land. Subject to the payment of said mortgage of £1000.
Proved April 15th 1779.
Recorded June 29th 1779 in Mortgage Book M No. 1 page 204.

No. 39
1786 May 30th
Examined Record

DEED POLL.- Joseph Cowperthwait High Sheriff of the County of Philadelphia to Edward Hanlon in fee for a lot of land (marked No. 8 on the plan of 8 lots into which the said sheriff had divided 33 acres part of said 42 acres and 16 acres). Beginning at the northeast corner of Lot No. 1 now sold to the said Edward Hanlon on the New Passyunk Road thence by the northeast line of the said lot north 52¼° west $31\frac{4}{10}$ perches to a corner adjoining lands of John Sober thence by the said lands north 38½° east $6\frac{2}{10}$ perches to another corner of the said John Sober's lands *thence by the said Lot No. 1* south 52¼° east to New Passyunk Road aforesaid thence by the said road south 36° west $6\frac{2}{10}$ perches to the place of begin-

ning. Containing 1 acre. Sold on the 8th day of May 1786 as the estate of said Benjamin Hemings by virtue of a writ of pluries venditioni exponas issued out of the Court of Common Pleas for the said County tested March 11th 1786 at the suit of George Haynes.

Acknowledged in open Court of Common Pleas November 20th 1787 and entered among the records thereof in Sheriffs Deed Book B page 280.
Recorded August 2nd 1792 in Deed Book D No. 34 page 168.

The words "thence by the said Lot No. 1" are not correct.

No. 40
1790
August 13th
Examined
Record

DEED POLL.- (endorsed) Edward Hanlon to Doyle Sweeny in fee for said 1 acre.

Acknowledged same day.
Recorded August 2nd 1792 in Deed Book D No. 34 page 171.

No. 41
1792
August 1st
Examined
Record

DEED.- Doyle Sweeny and wife to John John Baptiste Pellissier or Pellessier in fee for inter alia said 1 acre.

Acknowledged August 2nd 1792.
Recorded February 19th 1793 in Deed Book D No. 36 page 482.

No. 42
1792
October 8th
Examined
Record

DEED.- John Baptiste Pellissier or Pellessier and wife to Nathaniel Preston in fee for inter alia the said 1 acre.

Acknowledged same day.
Recorded February 19th 1793 in Deed Book D No. 38 page 265.

No. 43
1794
April 4th
Examined
Record

DEED.. Nathaniel Preston and wife to John Godfried Wachsmuth in fee for inter alia the said 1 acre.

Acknowledged April 5th 1794.

Recorded July 22nd 1794 in Deed Book D No. 41 page 500.

No. 44
1816
April 20th
Examined
Record

DEED.- John Godfried Wachsmuth to John Marie Soullier in fee for inter alia the said 1 acre.

Acknowledged same day.

Recorded November 15th 1817 in Deed Book M R No. 15 page 337.

No. 45
1817
October 20th
Examined
Record

DEED.- John Marie Soullier and wife to Lewis Reineck in fee for inter alia the said 1 acre.

Acknowledged November 10th 1817.

Recorded November 15th 1817 in Deed Book M R No. 15 page 341.

No. 46
1824
October 18th
Produced
and
Examined

DEED.- Lewis Reineck and wife to William Carbery in fee for a brick messuage or tenement and lot or piece of land Containing 5 acres and 110 perches which included the said 1 acre.

Acknowledged same day.

Recorded October 18th 1824 in Deed Book G W R No. 4 page 110.

No. 47

1833
February 9th

Produced
and
Examined

DEED.- William Carbery to Thomas Weaver in fee for said 5 acres and 110 perches Subject to the payment of a mortgage of $2363.67 given by William Carbery and recorded in Mortgage Book A M No. 13 page 452.
(Satisfied May 10th 1834.)
Acknowledged same day.
Recorded May 11th 1835 in Deed Book A M No. 62 page 279.

No. 48
1835
May 9th
Produced
and
Examined

DEED.- Thomas Weaver and wife to John A. Elkinton in fee for said 5 acres and 110 perches.
Acknowledged same day.
Recorded May 11th 1835 in Deed Book A M No. 62 page 281.

No. 49

1837
February 20

Produced
and
Examined

DEED.- John A. Elkinton and wife to Charles H. White and John F. White in fee in equal shares for the said 5 acres and 110 perches. Subject to the payment of a mortgage of $5000 given by John A. Elkinton recorded in Mortgage Book A M No. 25 page 21. Satisfied November 10th 1852.
Acknowledged February 24th 1837.
Recorded May 18th 1837 in Deed Book S H F No. 14 page 460.

No. 50

1851
January 21st

Produced
and
Examined

DEED POLL endorsed on the last recited indenture.- John F. White and wife to Charles H. White in fee for the one undivided half part of said John F. White in said 5 acres and 110 perches. Subject to the payment of a proportionate part of $3000 the balance of said mortgage debt of $5000.

Acknowledged same day.

Recorded January 23rd 1851 in Deed Book G W C No. 77 page 208.

No. 51
1863
December 7th
Produced
and
Examined

DEED.- Charles H. White and wife to John T. Holloway in fee for the said 5 acres and 110 perches.

Acknowledged same day.

Recorded December 7th 1863 in Deed Book A C H No. 129 page 208.

No. 52

1863
December 7th

Produced
and
Examined

MORTGAGE.- John T. Holloway to Charles H. White his heirs and and assigns granting the said 5 acres and 110 perches in mortgage to secure the payment of $5000 (part of the purchase money mentioned in the last above recited deed) in one year with interest.

Acknowledged same day.

Recorded December 7th 1863 in Mortgage Book A C H No. 71 page 260.

No. 53 — ASSIGNMENT.- Charles H. White to The Girard Life Insurance Annuity and Trust Company of Philadelphia their successors and assigns for the said mortgage of $5000.

1863 December 7th — Acknowledged same day. Recorded December 7th 1863 in Mortgage Book A C H No, 71 page 263.

Produced and Examined

COURT OF COMMON PLEAS NO. I

APPEARANCE DOCKET
September Term 1880

The Girard Life Insurance Annuity and Trust Company of Philadelphia assignee of Charles H. White the original Mortgagee *vs* John T. Holloway	Sci. Fa. sur. Mtge. Dated and recorded Dec. 7th 1863 in Mortgage Book A. C. H. No. 71 pages 260 and 263. Asst. dated Dec. 7th 1863 recorded in Mortgage Book A. C. H. No. 71 pages 260 and 263. Exit October 30th 1880. Ret. 1st Mon. Nov. 1880. Nihil Habet.

November 30 1880 Als. Sci. Fa. exit.
Returnable 1st Monday December 1880. Nihil Habet.
January 18 1881 Judgment for want of an appearance on two returns of Nihil Habet.
eo die Damages assessed at $5484.17.

January 18 1881 Levari Facias exit.
Returnable 1st Monday February 1881. Sold to E. Cooper Shapley for $50 terms of sale not complied with.
February 23 1881 Als. Levari Facias exit.
Returnable 1st Monday March 1881. Improvidently issued.
April 16th 1881 Pls. Levari Facias exit.
Returnable 1st Monday May 1881. Sold to Jacob E. Ridgway and Wm. V. McGrath for $6550.

No. 54

1881
May 21st

Produced and Examined

DEED POLL.- Enoch Taylor esquire High Sheriff of the said City of Philadelphia to Jacob E. Ridgway and William V. McGrath in fee for the said 5 acres and 110 perches sold on the 2nd day of May A. D. 1881.

Acknowledged in open Court of Common Pleas No. 1 for said City May 21st 1881 and entered among the records thereof in Sheriffs Deed Book No. 110 page 13.

As to 5 lots of ground part of the said ground on the northwest and southwest sides of the said 7½ acres.

The said William V. McGrath departed this life on the 14th day of April 1885 having first made and published his last Will and Testament in writing.

No. 55

1885
January 7th

Examined
Original

WILL of William V. McGrath whereby after directing the payment of his debts he gave devised and bequeathed the residue of his estate to his executors in trust to pay out of the net income thereof to testators father-in-law $3000.- per year during his life and the remainder of the net income to testators wife during her life and at the decease of his wife he gave his said residuary estate to be equally divided among his 5 children hereinafter named and authorized his executors to sell all his real estate by public or private sale and to execute and deliver all such deeds as should be necessary for conveying the same unto the purchaser thereof discharged of all trusts and without liability as to the application of the purchase money and appointed his wife Catharine A. McGrath and his son-in-law William K. Brown executors of his will.

Proved April 22nd 1885.

Registered at Philadelphia in Will Book No. 120 page 274.

No. 56

Examined
Original

At an Orphans Court held at Philadelphia on the 3rd day of May 1888 the petition of the said Catharine A. McGrath and William K. Brown executors and trustees aforesaid was presented setting forth that the said William V. McGrath died seized in fee of one undivided moiety of certain lands situate in the 26th Ward of the said City of Philadelphia (being the said 2 pieces of land containing 17 acres 3 roods 16 perches and 5 acres 110 perches) adjoining lands of John Gillespie and Thomas Gillespie and that the other undivided moiety of said lands was owned by

Jacob E. Ridgway: That it was for the interest and advantage of the estate of the said William V. McGrath that the lines between the said lands should be squared and streets and alleys laid out through the same in order that the said lands might be so divided into building lots as to command the highest prices. That all the other owners of said lands were desirous of having said lines squared as shown on the plan annexed to said petition and all the streets shown on the said plan dedicated to public use. That the will of the said William V. McGrath did not authorize said petitioners to make and take conveyances for the purpose of squaring lines or authorize them to dedicate streets or lay out alleys and grant the use of the same and that the undivided moiety of said William V. McGrath in said lands was subject to the lien of his debts not of record; and said petitioners prayed said Court to authorize them for the purpose of squaring said lines to join with the other parties in interest in executing from time to time deeds of dedication for all the streets on said plan and to take from the said John Gillespie and Thomas Gillespie a conveyance of one undivided moiety of 5 lots of ground marked Nos. 1, 2, 3, 4 and 5 in said petition and to authorize said petitioners to join with the said Jacob E. Ridgway in making a conveyance to said John Gillespie and Thomas Gillespie in fee simple free from all trusts and discharged from the lien of the debts of the said William V. McGrath not of record for the 5 lots of ground marked Nos. 6, 7, 8, 9 and 10 in said petition (being the 5 lots of ground described in the next following deed) and also to authorize them to join with the other parties in interest in laying out alleys over the ground between Wharton and Dickinson Streets and 22nd and 23rd Streets and to make and take grants of the use of the said alleys from time to time as they might deem necessary.

Catharine A. McGrath widow of said William V. McGrath and Louis J. McGrath Mary F. Brown Catharine G. Foun-

tain Theresa A. McGrath and William V. McGrath junior children of the said William V. McGrath being all the parties in interest and all of full age did by writing annexed to said petition accept notice thereof admit the truth of the facts therein set forth and join in the prayer thereof. Whereupon the Court granted the prayer of the said petition and ordered security in $6000 which was duly entered.

Docket April Term 1885 No. 168.

No. 57

1888
May 5th

Produced and Examined

DEED.- Jacob E. Ridgway of the first part Catharine A. McGrath and William K. Brown executors and trustees aforesaid of the second part and the said Catharine A. McGrath widow of said William V. McGrath of the third part to John Gillespie and Thomas Gillespie of the fourth part in fee for the said five Lots Nos. 6, 7, 8, 9 and 10 in the above recited petition described as follows: All those five lots or pieces of ground situate in the 26th Ward of the said City of Philadelphia (Nos. 1, 2, 3 and a very small part of No. 4 being part of said 5 acres and the remaining part of No. 4 and all of No. 5 being part of said 1 acre).

No. 1 Beginning on the south side of a 30 feet wide street called Sears Street (which runs from 22nd Street to 23rd Street parallel with and 118 feet southward from the south side of Wharton Street) at the distance of 23 feet 10⅜ inches westward from the west side of the said 22nd Street thence extending westward along the south side of the said Sears Street 62 feet 1⅝ inches to ground belonging to the said Jacob E. Ridgway and the estate of the said William V. McGrath thence southwardly along the same on a line parallel with the said 22nd Street 104 feet to the north side of a 30 feet wide street called Earp Street which runs from said

22nd Street to 23rd Street parallel with and 252 feet southward from the south side of Wharton Street thence eastward along the north side of said Earp Street 7 feet 3⅜ inches to ground of the said John Gillespie and Thomas Gillespie thence northeastwardly along the same 117 feet 7 inches to the place of beginning.

No. 2 Beginning on the north side of Reed Street at the distance of 156 feet 9¾ inches westward from the west side of 22nd Street thence extending northward on a line parallel with the said 22nd Street by ground belonging to the said Jacob E. Ridgway and the estate of the said William V. McGrath 118 feet to the south side of the said Earp Street thence eastward along the south side of the said Earp Street 62 feet 3 inches to the line of ground of the said John Gillespie and Thomas Gillespie thence southwestwardly along the same 133 feet 5 inches to the place of beginning.

No. 3 Beginning on the south side of a 30 feet wide street called Gerritt or Owen Street (which runs from the said 22nd Street to 23rd Street parallel with and 118 feet southward from the south side of Reed Street) at the distance of 261 feet 3½ inches westward from the west side of said 22nd Street thence extending westward along the south side of the said Gerritt Street 8 feet 8⅝ inches thence southward on a line parallel with the said 22nd Street by ground belonging to the said Jacob E. Ridgway and the estate of the the said William V. McGrath 16 feet 6½ inches thence northeastwardly along ground of the said John Gillespie and Thomas Gillespie 18 feet 8⅜ inches to the place of beginning.

No. 4 Beginning on the south side of a 30 feet wide street called Wilder Street (which runs from 22nd Street to 23rd Street parallel with and 252 feet southward from the south side of Reed Street) at the distance of 332 feet westward from the west side of the said 22nd Street thence extending westward along the south side of the said Wilder Street 1 foot 7½ inches to ground belonging to the said Jacob E.

Ridgway and the estate of the said William V. McGrath thence southward by the said ground on a line parallel with the said 22nd Street 53 feet 1½ inches thence eastward by the said ground on a line parallel with the said Wilder Street 91 feet 3 inches to ground of the said John Gillespie and Thomas Gillespie thence northwestwardly along the same 104 feet and ½ of an inch thence northeastwardly by the same ground 3 feet 5⅝ inches to the place of beginning.

No. 5 Beginning on the north side of Dickinson Street at the distance of 123 feet 11¾ inches westward from the west side of 22nd Street thence extending westward along the north side of the said Dickinson Street 27 feet 1¾ inches thence northward on a line parallel with the said 22nd Street along ground belonging to the said Jacob E. Ridgway and the estate of the said William V. McGrath 14 feet 10½ inches to ground of the said John Gillespie and Thomas Gillespie thence southeastwardly along the same 30 feet 11¼ inches to the place of beginning.

Acknowledged same day.

Recorded May 18th 1888 in Deed Book G G P No. 362 page 438.

Prepared by

August 1888 WILLIAM LORE

Searches

NOTE.- A Locality Conveyance Search made by The Land Title and Trust Company against the tract of land in question described at the head of this Brief from 1683 to July 17th 1888 inclusive shows nothing affecting said tract but what is in the foregoing Brief except numerous conveyances made by John Gillespie and Thomas Gillespie and the Sheriff's Deed hereinafter mentioned recorded in Deed Book F 5 page 52.

The following are copies of the Mortgage, Sheriff Sale and Tax Searches against the said tract in question.

Please certify every unsatisfied Mortgage remaining of record made of the tract of land above described or of any part thereof or of any yearly Ground Rent issuing thereout by

HENRY MYERS or } from February 1 1834
HENRY MYERS JUNIOR } to November 1 1845
PETER BOBB from October 1 1845 to January 1 1868
MARIA BOBB from August 1 1867 to July 1 1872
ISAAC A. KEEMLE from February 1 1834 to March 1 1839
CATHARINE MYERS from February 1 1834 to March 1 1847
CATHARINE CARDEN from February 1 1839 to March 1 1847
ALBERT COFFIN from February 1 1847 to July 1 1855
SAMUEL L. COFFIN from December 1 1854 to June 1 1866
JOHN WILLIAMS from May 1 1866 to February 1 1867
SAMUEL H. JARDEN from Jany 1 1867 to February 1 1875
JACOB JARDEN from January 1 1869 to January 1 1888

JOHN HALLOWELL from April 1 1832 to August 1 1872
JOHN A. ELKINTON from May 1 1835 to June 1 1837
CHARLES H. WHITE from February 1 1837 to Jany 1 1864
JOHN F. WHITE from February 1 1837 to February 1 1851
JOHN T. HOLLOWAY from December 1 1863 to March 1 1864
WILLIAM H. KEMBLE from July 1 1872 to February 1 1880
JACOB E. RIDGWAY from July 1 1872 to June 1 1888
WILLIAM V. McGRATH from July 1 1872 to July 1 1885
CATHARINE A. McGRATH } from April 1 1885
WILLIAM K. BROWN } to June 1 1888
JOHN GILLESPIE } since June 1 1872
THOMAS GILLESPIE }

No. 9167

The Land Title and Trust Company having searched for instruments affecting the premises as above described or any part thereof or any ground rent issuing thereout hereby certifies and guarantees that no unsatisfied mortgage of the said premises appears upon the Company's Locality Indexes since 1683 except those given below and that there is no other unsatisfied mortgage of the same given by any of the twenty-four parties named in the mortgage search order and recorded within the respective periods therein specified

Dec 7 1863 John T. Holloway to Charles H. White 5000 A C H 71 260 to 263 Dec 7 1863.

Mar 14 1887 Henry L. Hayes to The Prospect Bldg and Loan Assoc. of Phila. 600 G G P 180 447 to 451 Mar 21 1887.

May 31 1888 Robert Wilson et al to John Gillespie et al 15200 G G P 337 172 to 175 May 31 1888.

June 29 1888 Henry Rankin to John Gillespie et al 23600 G G P 317 540 to 544 June 29 1888.

June 1 1888 Charles N. Pullinger to The Safeguard B. and L. Assoc. $600 Rec. No. 41544 July 20 1888.

June 1 1888 George Russell to The Safeguard B. and Loan Assoc. $600 Rec. No. 41542 July 20 1888.

July 17 1888 Patrick J. Dougherty to The Emmet Bldg and Loan Assoc. $600 Rec. No. 41462 July 19 1888.

July 25 1888 John Meehan to The Wharton Bldg and Loan Assoc. $500 Rec. No. 41685 July 25 1888.

July 26 1888 George W. Pleis to United Security Life Ins. and Trust Comp. of Penna. $1906.48 Rec. No. 41820 July 28 1888.

Aug 7 1888 William McCarter to John Gillespie et al 14800 Rec. No. 42209 Aug 7 1888.

Aug 17 1888 William Wilson to Robert Paul 500 Rec. No. 42534 Aug 18 1888.

that no portion of the said premises has ever been sold or conveyed by any sheriff or United States Marshal except the following

Date Mar 1 1703 Finney shff to Charles Sober Defts Ralph Jackson et al exrs. D. B. F 5 52 to 53 C. P. V. E. Feb 28 1703 (May affect).

Sale May 8 1786 Cowperthwaite shff to Edward Hanlon Deft Benjamin Hemmings O. C. P. 3 B. 280 to 281 V. E. Mar 11 [1786]. See Deed Book (D 34 168 to 170).

Sale Jan 4 1869 Lyle shff to Jacob Jarden et al Deft Mary Jane Simon et al trustee D. C. 68 454 to 456 Order of Sale D Term 1868 No. 454.

Sale May 2 1881 Taylor shff to Jacob E. Ridgway et al Deft John T. Holloway C. P. 1 110 13 to 17 S Term 1880 No. 486.

WITNESS the seal of the said Company this twentieth (incl) day of August A. D. 1888.

GEO. W. JACKSON
for Company

[SEAL]

No more mortgages to August 22 (incl) 1888 except

Aug 22 1888 Andrew Hughes to John Gillespie et al $8400 Rec. No. 42610 Aug 22 1888.

Aug 22 1888 Alexander C. Montgomery to The Mutual Cooperative Bldg As. 1000 Rec. No. 42626 Aug 22 1888.

GEO. W. JACKSON
for Company

NOTE.- All the mortgages above certified (except the mortgage of $5000 upon which there was a sheriff's sale, see pages 28 and 30 of Brief) are upon parts of the tract in question which have been sold and conveyed by John and Thomas Gillespie.

The Sheriff's Deed recorded in Deed Book F 5 page 52 conveys three tracts containing respectively 30 acres 30 acres and 40 acres which were sold as the estate of John Martin deceased. The two tracts of 30 acres are on the southeast side of Long Lane the other has not been exactly located by The Land Title and Trust Company.

The Sheriff's Deeds in Book B page 280 and 110 page 13 are on pages 24 and 30 of Brief.

The Sheriff's Deed in Book No 68 page 454 covers only the small triangular lot mentioned in the Brief. See page 12 of Brief.

On examining the Register of Unpaid Taxes for the City of Philadelphia for the years 1883 to 1887 inclusive I find nothing against the above described premises.

W. M. NEISSER
Chief Search Clerk

[SEAL]
Philadelphia, August 28 1888.

The taxes for the year 1888 have been paid upon that part of said tract which the said John and Thomas Gillespie owned on the 1st day of January 1888 and upon those parts of said tract conveyed to them since that date and upon so much of that part of said tract which is east of 22nd Street and north of Reed Street as they sold and conveyed in the year 1887 reserving Ground Rents.

On examination of the judgment index of the Court of Common Pleas for the County of Philadelphia from August 20th A. D. one thousand eight hundred and eighty-three (1883) to the twenty-first day of August one thousand eight hundred and eighty-eight (1888) I find no unsatisfied judgments entered therein within that period against

JACOB JARDEN
JACOB E. RIDGWAY
CATHARINE A. MCGRATH
WILLIAM K. BROWN

WM. with other middle letters

Certified by C. G. MCCULLOUGH

[SEAL] *pro Pro*

On examination of the judgment index of the Court of Common Pleas for the County of Philadelphia from April 13th A. D. one thousand eight hundred and eighty (1880) to the twenty-first day of August one thousand eight hundred and eighty-eight (1888) I find the following unsatisfied judgments entered therein within that period against

WILLIAM V. MCGRATH

Wm. and with other middle letters

City	1	M 81	442	M L D	Mch 24 81	15.19
"	4	S 81	145	"	Nov 17 81	12.61
"	3	S 83	364	"	Nov 12 83	14.80

City	1	M 81	442	M L D Tener	Mch 12 86	S F
"	4	D 87	162	M L D	Dec 22 87	15.84
"	4	S 81	145	M L D Tener	Nov 3 86	S F
"	4	S 78	295	M L D Warwick	Aug 14 88	S F

Certified by C. G. McCULLOUGH
pro Pro

[SEAL]

The above are all city claims or sci fa's on city claims for taxes against premises on Chelsea Street 24th Ward Philadelphia.

On examination of the judgment index of the Court of Common Pleas for the County of Philadelphia from August 20th A. D. one thousand eight hundred and eighty-three (1883) to the twenty-first day of August one thousand eight hundred and eighty-eight (1888) I find the following unsatisfied judgments entered therein within that period against

JOHN GILLESPIE

JOHN with middle letters

1	B of C & J	2	M 84	87	D S B	Mch 12 84	2.50
2	City	2	D 84	83	M L D	Jan 14 85	4.00
3	City	2	S 85	46	"	Oct 28 85	10.69
4	H Clay	1	J 87	145	D S B	Jun 25 87	5000.
5	City	3	D 87	184	M L D	Feb 25 88	3.68

Certified by C. G. McCULLOUGH
pro Pro

[SEAL]

No other to Aug 24 88

S. B. HOPPIN
pro Pro

1 Is not against John Gillespie of the City of Philadelphia, brick manufacturer.

2 Is a city claim against premises No. 1843 Gerritt Street.

3 Is a city claim against premises on Stretch Street south of Dickinson Street.

4 Is a judgment the lien of which is restricted to premises No. 1332 South Broad Street.

5 Is a city claim against said premises on Stretch Street south of Dickinson Street.

On examination of the judgment index of the Court of Common Pleas for the County of Philadelphia from August 20th A. D. one thousand eight hundred and eighty-three (1883) to the twenty-first day of August one thousand eight hundred and eighty-eight (1888) I find the following unsatisfied judgments entered therein within that period against

THOMAS GILLESPIE

City 4 D 86 457 D S B Dec 23 86 25.000 Secy

Certified by C. G. MCCULLOUGH

[SEAL] *pro Pro*

None other to Aug 24 88 S. B. HOPPIN

pro Pro

The lien of the above Judgment is restricted to premises No. 1328 South Broad Street Philadelphia.

I do certify that on examining the judgment index of the Supreme Court of Pennsylvania for the Eastern District from April 13th 1880 to the twenty-fifth day of August one thousand eight hundred and eighty-eight I find no unsatisfied judgments entered within that period against

JACOB JARDEN

JACOB E. RIDGWAY

WILLIAM V. MCGRATH

CATHARINE A. MCGRATH
WILLIAM K. BROWN
JOHN GILLESPIE
or
THOMAS GILLESPIE

LEWIS C. GREENE
pro Pro

[SEAL]

UNITED STATES
EASTERN DISTRICT OF PENNSYLVANIA } *sct.*

I, SAMUEL BELL, Clerk of the Circuit Court of the United States in and for the Eastern District of Pennsylvania, do hereby certify that there are no unsatisfied judgments remaining on record in my office obtained against

JACOB JARDEN
JACOB E. RIDGWAY
WILLIAM V. MCGRATH
CATHARINE A. MCGRATH
WILLIAM K. BROWN
JOHN GILLESPIE
THOMAS GILLESPIE

since April 13 1880

CHAS. T. MURPHY
pro Clerk Circuit Court

[SEAL]

Philadelphia, this 24th day of August A. D. 1888.

UNITED STATES
EASTERN DISTRICT OF PENNSYLVANIA } *ss.*

I, CHARLES S. LINCOLN, Clerk of the District Court of the United States for the Eastern District of Pennsylvania,

certify that there are no unsatisfied judgments remaining on record in my office obtained against

JACOB JARDEN
JACOB E. RIDGWAY
WILLIAM V. MCGRATH
CATHARINE A. MCGRATH
WILLIAM K. BROWN
JOHN GILLESPIE
THOMAS GILLESPIE

since April 13 1880 except judgmts vs. Wm. Brown Nos. 9 and 10 Feb. Sess. 1887 Costs, Indct.

CHAS. T. MURPHY
[SEAL] *pro Clerk District Court*

Philadelphia, this 24th day of August A. D. 1888.

The above judgts are not against William K. Brown.

COURT OF QUARTER SESSIONS OF THE PEACE
FOR THE CITY AND COUNTY OF PHILADELPHIA

I certify that I have examined the records of the aforesaid Court and do not find any unsatisfied judgments against

JACOB JARDEN
JACOB E. RIDGWAY
WILLIAM V. MCGRATH
CATHARINE A. MCGRATH
WILLIAM K. BROWN
JOHN GILLESPIE
THOMAS GILLESPIE

since April 13 1880.

WM. L. FORMAN
[SEAL] *Pro Clerk*

8, 25, 1888.

REFERENCE-USE IN LIBRARY ONLY